

Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005

REGULATION (EU) 2019/1241 OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

of 20 June 2019

on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>(1)</sup>,

Having regard to the opinion of the Committee of the Regions<sup>(2)</sup>,

Acting in accordance with the ordinary legislative procedure<sup>(3)</sup>,

Whereas:

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>(4)</sup> establishes a Common Fisheries Policy (CFP) for the conservation and sustainable exploitation of fisheries resources.
- (2) Technical measures are tools to support the implementation of the CFP. However, an evaluation of the current regulatory structure in relation to technical measures showed that it is unlikely to achieve the objectives of the CFP and a new approach should be taken to increase the effectiveness of technical measures, focusing on adapting the governance structure.
- (3) There is a need to develop a framework for the regulation of technical measures. That framework should, on the one hand, establish general rules which are to apply across all Union waters and, on the other hand, provide for the adoption of technical measures

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that take account of the regional specificities of fisheries through the regionalisation process introduced by Regulation (EU) No 1380/2013.

- (4) The framework should cover the taking and landing of fisheries resources as well as the operation of fishing gear and the interaction of fishing activities with marine ecosystems.
- (5) This Regulation should apply to fishing operations conducted in Union waters by Union and third-country fishing vessels and by nationals of Member States — without prejudice to the primary responsibility of the flag State — as well as to Union fishing vessels operating in Union waters of the outermost regions referred to in the first paragraph of Article 349 of the Treaty on the Functioning of the European Union (TFEU). It should also apply, in respect of Union fishing vessels and nationals of Member States, in non-Union waters to technical measures adopted for the North East Atlantic Fisheries Commission (NEAFC) Regulatory Area and the General Fisheries Commission for the Mediterranean (GFCM) Agreement Area.
- (6) Where relevant, technical measures should apply to recreational fishing, which can have a significant impact on the stocks of fish and shellfish species.
- (7) Technical measures should contribute to achieving the CFP objectives to fish at maximum sustainable yield levels, reduce unwanted catches and eliminate discards, and contribute to the achievement of good environmental status as set out in Directive 2008/56/EC of the European Parliament and of the Council<sup>(5)</sup>.
- (8) Technical measures should specifically contribute to the protection of juveniles and spawning aggregations of marine species through the use of selective fishing gear and measures for the avoidance of unwanted catches. Technical measures should also minimise the impacts of fishing gear on marine ecosystems and in particular on sensitive species and habitats, including where appropriate by using incentives. They should also contribute to having in place management measures for the purposes of complying with obligations under Council Directive 92/43/EEC<sup>(6)</sup>, Directive 2008/56/EC and Directive 2009/147/EC of the European Parliament and of the Council<sup>(7)</sup>.
- (9) To evaluate the effectiveness of technical measures, targets relating to the levels of unwanted catches, in particular catches of marine species below the minimum conservation reference size, to the level of incidental catches of sensitive species and to the extent of seabed habitats adversely affected by fishing should be established. Those targets should reflect the objectives of the CFP, Union environmental legislation — in particular Directive 92/43/EEC and Directive 2000/60/EC of the European Parliament and of the Council<sup>(8)</sup> — and international best practice.
- (10) In order to ensure uniformity as regards the interpretation and implementation of technical rules, definitions of fishing gear and fishing operations contained in existing technical measures regulations should be updated and consolidated.
- (11) Certain destructive fishing gear or methods which use explosives, poison, stupefying substances, electric current, pneumatic hammers or other percussive instruments, towed devices and grabs for harvesting red coral or other type of corals and coral-like species and certain spear-guns, should be prohibited. It should not be allowed to sell, display

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or offer for sale any marine species caught using such gear or methods where they are prohibited under this Regulation.

- (12) The use of electric pulse trawl should remain possible during a transitional period until 30 June 2021 and under certain strict conditions.
- (13) In the light of advice from the Scientific, Technical and Economic Committee for Fisheries (STECF), certain common rules setting out restrictions on the use of towed gear and on the construction of codends should be established, in order to prevent bad practices that lead to unselective fishing.
- (14) In order to restrict the use of driftnets which can fish over large areas and result in significant catches of sensitive species, the existing restrictions on using such fishing gear should be consolidated.
- (15) In the light of advice from STECF, fishing with static nets in ICES divisions 3a, 6a, 6b, 7b, 7c, 7j and 7k and ICES sub-areas 8, 9, 10 and 12 east of 27° W in waters with a charted depth of more than 200 m should continue to be prohibited, in order to provide protection for sensitive deep-sea species, subject to certain derogations.
- (16) For certain rare fish species, such as some species of sharks and rays, even limited fishing activity could result in a serious risk for their conservation. To protect such species a general prohibition on fishing for them should be introduced.
- (17) To afford the strict protection for sensitive marine species such as marine mammals, seabirds and marine reptiles provided for in Directives 92/43/EEC and 2009/147/EC, Member States should put in place mitigation measures to minimise and where possible eliminate the catching of such species by fishing gear.
- (18) In order to provide continued protection for sensitive marine habitats located off the coasts of Ireland, the United Kingdom and around the Azores, Madeira and the Canary Islands, as well as in the NEAFC Regulatory Area, existing restrictions on the use of demersal fishing gear should be maintained.
- (19) Where scientific advice identifies other such habitats, there should be a possibility to introduce similar restrictions to protect those habitats.
- (20) In accordance with Regulation (EU) No 1380/2013, minimum conservation reference sizes should be established to ensure the protection of juveniles of marine species and for the purpose of establishing fish stock recovery areas, as well as for the purpose of constituting minimum marketing sizes.
- (21) The manner in which the size of marine species is to be measured should be defined.
- (22) There should be a possibility for Member States to carry out pilot projects with the aim of exploring ways to avoid, minimise and eliminate unwanted catches. Where the results of those projects or scientific advice indicate that there are significant unwanted catches, Member States should endeavour to establish technical measures to reduce such catches.
- (23) This Regulation should establish baseline standards for each sea basin. Those baseline standards are derived from existing technical measures, taking account of STECF

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advice and the opinions of stakeholders. Those standards should consist of baseline mesh sizes for towed gear and static nets, minimum conservation reference sizes, closed or restricted areas, as well as nature conservation measures to mitigate against catches of sensitive species in certain areas and any other existing regionally specific technical measures.

- (24) Member States should have the possibility to develop joint recommendations for appropriate technical measures that differ from these baselines in accordance with the regionalisation process set out in Regulation (EU) No 1380/2013, based on scientific evidence.
- (25) Such regional technical measures should as a minimum lead to such benefits for the conservation of marine biological resources that are at least equivalent to the ones provided by the baseline standards, in particular in terms of exploitation patterns and the level of protection provided for sensitive species and habitats.
- (26) When developing joint recommendations in relation to size and species selective characteristics of gear alternative to the baseline mesh sizes, regional groups of Member States should ensure that such measures result in similar, as a minimum, or improved selectivity characteristics as the baseline gear.
- (27) When developing joint recommendations in relation to restricted areas for the protection of juveniles and spawning aggregations, regional groups of Member States should define the objectives, geographical extent and duration of closures as well as gear restrictions and control and monitoring arrangements in their joint recommendations.
- (28) When developing joint recommendations in relation to minimum conservation reference sizes, regional groups of Member States should ensure that the objective of the CFP of ensuring the protection of juveniles of marine species is respected, while ensuring that no distortion is introduced into the market and that no market for fish below minimum conservation reference sizes is created.
- (29) The creation of real-time closures in conjunction with moving-on provisions as an additional measure for the protection of sensitive species, juveniles or spawning aggregations should be allowed as an option to be developed through regionalisation. The conditions for the establishment of such areas, including the geographical extent and duration of closures, as well as the control and monitoring arrangements should be defined in the relevant joint recommendations.
- (30) On the basis of an assessment of the impacts of innovative gear, the use, or extending the use, of such innovative gear could be included as an option in joint recommendations from regional groups of Member States. The use of innovative fishing gear should not be permitted where scientific assessment indicates that their use would lead to significant negative impacts on sensitive habitats and non-target species.
- (31) When developing joint recommendations in relation to the protection of sensitive species and habitats, regional groups of Member States should be allowed to develop additional mitigation measures to reduce the impacts of fishing on such species and habitats. Where scientific evidence shows that there is a serious threat to the conservation status of sensitive species and habitats, Member States should introduce

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additional restrictions on the construction and operation of certain fishing gear or even the introduction of a total prohibition on their use in a given area. In particular, such restrictions could be applied to the use of driftnets which in certain areas has resulted in significant catches of sensitive species.

- (32) Regulation (EU) No 1380/2013 allows for the establishment of temporary discard plans for the implementation of the landing obligation, in cases where no multiannual plan is in place for the fishery in question. As part of such plans it should be allowed to establish technical measures which are strictly linked to the implementation of the landing obligation and which aim to increase selectivity and reduce unwanted catches as much as possible.
- (33) There should be a possibility to carry out pilot projects on full documentation of catches and discards. Such projects could involve derogations from the rules on mesh sizes laid down in this Regulation insofar as they contribute to achieving the objectives and targets of this Regulation.
- (34) Certain provisions on technical measures adopted by NEAFC should be included in this Regulation.
- (35) In order not to hinder scientific research or direct restocking and translocation, the technical measures provided for in this Regulation should not apply to operations which may be necessary for conducting such activities. In particular, where fishing operations for the purposes of scientific research require such a derogation from the technical measures under this Regulation, they should be subject to appropriate conditions.
- (36) The power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of adopting certain measures in relation to recreational fishing, restrictions on towed gear, sensitive species and habitats, the list of fish and shellfish for which directed fishing is prohibited, the definition of directed fishing, pilot projects on full documentation on catches and discards, and technical measures as part of temporary discard plans, as well as in relation to minimum conservation reference sizes, mesh sizes, closed areas and other technical measures in certain sea basins, mitigation measures for sensitive species and the list of species of key indicator stocks. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>(9)</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (37) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the establishment of the specification of devices to reduce wear and tear of and to strengthen towed gear or to limit the escape of catches in the forward part of towed gear; to define the specification of the selection devices attached to defined baseline gear; to define the specifications of the electric pulse trawl; to define restrictions on construction of

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gear and the control and monitoring measures to be adopted by the flag Member State; and to define rules on the control and monitoring measures to be adopted by the flag Member State when using static gear in depths between 200 and 600 m, on the control and monitoring measures to be adopted for certain closed or restricted areas, and on the signal and implementation characteristics of devices used to deter cetaceans from static nets and methods used to minimise incidental catches of seabirds, marine reptiles and turtles. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>(10)</sup>.

- (38) By 31 December 2020, and every third year thereafter, the Commission should report to the European Parliament and to the Council on the implementation of this Regulation, on the basis of information supplied by Member States and the relevant Advisory Councils and following evaluation by STECF. That report should assess the extent to which technical measures both at regional level and at Union level have contributed to achieving the objectives and reaching the targets of this Regulation.
- (39) For the purpose of that report, adequate selectivity indicators, such as the scientific concept of length of optimal selectivity ( $L_{opt}$ ), could be used as a reference tool to monitor progress over time towards the CFP objective of minimising unwanted catches. In that sense, those indicators are not binding targets, but monitoring tools which may inform deliberations or decisions at regional level. The indicators, and the values used for their application, should be requested from appropriate scientific bodies for a number of key indicator stocks which would also take into account mixed fisheries and recruitment spikes. The Commission could include those indicators in the report on the implementation of this Regulation. The list of the key indicator stocks should include demersal species which are managed through catch limits, taking into account the relative importance of landings, discards and relevance of the fishery for each sea basin.
- (40) The Commission's report should also refer to advice from ICES on the progress made or impact of innovative gear. The report should draw conclusions about the benefits for, or negative effects on, marine ecosystems, sensitive habitats and selectivity.
- (41) On the basis of the Commission's report, where at regional level there is evidence that the objectives and targets have not been met, Member States within that region should submit a plan setting out the corrective actions to be taken to ensure those objectives and targets can be met. The Commission should also propose to the European Parliament and to the Council any necessary amendments to this Regulation on the basis of that report.
- (42) Given the number and importance of the amendments to be made, Council Regulations (EC) No 894/97<sup>(11)</sup>, (EC) No 850/98<sup>(12)</sup>, (EC) No 2549/2000<sup>(13)</sup>, (EC) No 254/2002<sup>(14)</sup>, (EC) No 812/2004<sup>(15)</sup> and (EC) No 2187/2005<sup>(16)</sup> should be repealed.
- (43) Council Regulations (EC) No 1967/2006<sup>(17)</sup> and (EC) No 1224/2009<sup>(18)</sup> and Regulation (EU) No 1380/2013 should be amended accordingly.
- (44) The Commission is currently empowered to adopt and amend technical measures at regional level under Regulations (EU) 2016/1139<sup>(19)</sup>, (EU) 2018/973<sup>(20)</sup>, (EU)

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2019/472<sup>(21)</sup> and (EU) 2019/1022<sup>(22)</sup> of the European Parliament and of the Council, establishing the multi-annual plans for the Baltic Sea, the North Sea, Western Waters and the Western Mediterranean. In order to clarify the scope of the respective empowerments, and to specify that delegated acts adopted under the empowerments provided for in those Regulations are to comply with certain requirements set out in this Regulation, those Regulations should be amended in the interest of legal certainty,

HAVE ADOPTED THIS REGULATION:

## CHAPTER I

### GENERAL PROVISIONS

#### *Article 1*

##### **Subject matter**

This Regulation lays down technical measures concerning:

- (a) the taking and landing of marine biological resources;
- (b) the operation of fishing gear; and
- (c) the interaction of fishing activities with marine ecosystems.

#### *Article 2*

##### **Scope**

1 This Regulation shall apply to activities pursued by [<sup>F1</sup>United Kingdom] fishing vessels <sup>F2</sup>... in the fishing zones referred to in Article 5, as well as by fishing vessels flying the flag of, and registered in, third countries when fishing in [<sup>F1</sup>United Kingdom] waters.

2 Articles 7, 10, 11 and 12 shall also apply to recreational fishing. In cases where recreational fishing has a significant impact in a particular region, [<sup>F3</sup>regulations made] pursuant to Article 15 [<sup>F4</sup>may] amend this Regulation by providing that the relevant provisions of Article 13 or parts A or C of Annexes [<sup>F5</sup>5, 6 and 7] also apply to recreational fishing.

3 Subject to the conditions set out in Articles 25 and 26, the technical measures set out in this Regulation shall not apply to fishing operations conducted solely for the purpose of:

- a scientific investigations; and
- b direct restocking or transplantation of marine species.

#### **Textual Amendments**

**F1** Words in Art. 2(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

**F2** Words in Art. 2(1) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F3** Words in Art. 2(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in Art. 2(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 2(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 3

#### Objectives

1 <sup>[F6]</sup>Technical] measures shall contribute to the <sup>[F7]</sup>achievement of the fisheries objectives].

2 Technical measures shall in particular contribute to achieving the following objectives:

- a optimise exploitation patterns to provide protection for juveniles and spawning aggregations of marine biological resources;
- b ensure that incidental catches of sensitive marine species, including those listed under Directives 92/43/EEC and 2009/147/EC, that are a result of fishing, are minimised and where possible eliminated so that they do not represent a threat to the conservation status of these species;
- c ensure, including by using appropriate incentives, that the negative environmental impacts of fishing on marine habitats are minimised;
- d have in place fisheries management measures for the purposes of complying with <sup>[F8]</sup>the Marine Strategy Regulations 2010 and any enactment giving effect to Directives 92/43/EEC or 2000/60/EC], in particular with a view to achieving good environmental status <sup>F9</sup>....

#### Textual Amendments

- F6** Word in Art. 3(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 3(1) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(f), **Sch. 11 para. 11(2)** (with Sch. 4 para. 31, Sch. 11 para. 15(5))
- F8** Words in Art. 3(2)(d) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 3(2)(d) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(3)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 4

#### Targets

1 Technical measures shall aim to ensure that:



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- a catches of marine species below the minimum conservation reference size are reduced as far as possible in accordance with [<sup>F10</sup>the fisheries objectives].
- b incidental catches of marine mammals, marine reptiles, seabirds and other non-commercially exploited species do not exceed levels provided for in [<sup>F11</sup>legislation applicable in any part of the United Kingdom] and international agreements that are binding on the [<sup>F12</sup>United Kingdom].
- c the environmental impacts of fishing activities on seabed habitats are in line with [<sup>F13</sup>the fisheries objectives].

<sup>F14</sup>2 .....

#### Textual Amendments

- F10** Words in Art. 4(1)(a) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 11(3)(a)** (with Sch. 4 para. 31, Sch. 11 para. 15(5))
- F11** Words in Art. 4(1)(b) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 4(1)(b) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 4(1)(c) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 11(3)(b)** (with Sch. 4 para. 31, Sch. 11 para. 15(5))
- F14** Art. 4(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 5

#### Definition of fishing zones

For the purposes of this Regulation, the following geographical definitions of fishing zones shall apply:

- (a) ‘North Sea’ means [<sup>F15</sup>United Kingdom] waters in ICES [<sup>F16</sup>division 2a] and ICES sub-area 4;
- (b) <sup>F17</sup> .....
- (c) ‘North Western waters’ means [<sup>F18</sup>United Kingdom] waters in ICES sub-areas 5, 6 and 7;
- (d) ‘South Western waters’ means [<sup>F19</sup>United Kingdom] waters of ICES division 8d);
- (e) <sup>F20</sup> .....
- (f) <sup>F21</sup> .....
- (g) <sup>F22</sup> .....
- (h) ‘NEAFC Regulatory Area’ means the waters of the NEAFC Convention Area which lie beyond the waters under the fisheries jurisdiction of the Contracting Parties as defined in Regulation (EU) No 1236/2010 of the European Parliament and of the Council<sup>(23)</sup>;

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(i) F23 .....

### Textual Amendments

- F15** Words in Art. 5(a) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 5(a) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Art. 5(b) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 5(c) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 5(d) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 5(e) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Art. 5(f) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Art. 5(g) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F23** Art. 5(i) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(5)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 6

### Definitions

For the purposes of this Regulation, in addition to the definitions set out in Article 4 of Regulation (EU) No 1380/2013, the following definitions apply:

- (1) ‘exploitation pattern’ means how fishing mortality is distributed across the age and size profile of a stock;
- (2) ‘selectivity’ means a quantitative expression represented as a probability of capture of marine biological resources of a certain size and/or species;
- (3) ‘directed fishing’ means fishing effort targeted at a specific species or group of species and may be further specified at regional level in [<sup>F24</sup>regulations made] pursuant to Article 27(7) of this Regulation;
- (4) ‘good environmental status’ means the environmental status of marine waters as defined [<sup>F25</sup>in the Marine Strategy Regulations 2010];
- (5) ‘conservation status of a species’ means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations;
- (6) ‘conservation status of a habitat’ means the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species;

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- (7) ‘sensitive habitat’ means a habitat whose conservation status, including its extent and the condition (structure and function) of its biotic and abiotic components, is adversely affected by pressures arising from human activities, including fishing activities. Sensitive habitats, in particular, include habitat types listed in Annex I, and habitats of species listed in Annex II to Directive 92/43/EEC, habitats of species listed in Annex I to Directive 2009/147/EC, habitats whose protection is necessary to achieve good environmental status<sup>F26</sup>... and vulnerable marine ecosystems as defined by point (b) of Article 2 of Council Regulation (EC) No 734/2008<sup>(24)</sup>;
- (8) ‘sensitive species’ means a species whose conservation status, including its habitat, distribution, population size or population condition is adversely affected by pressures arising from human activities, including fishing activities. Sensitive species, in particular, include species listed in Annexes II and IV to Directive 92/43/EEC, species covered by Directive 2009/147/EC and species whose protection is necessary to achieve good environmental status<sup>F27</sup>...;
- (9) ‘small pelagic species’ means species such as mackerel, herring, horse mackerel, anchovy, sardine, blue whiting, argentines, sprat, and boarfish;
- (10) <sup>F28</sup> .....
- (11) ‘trawl’ means fishing gear which is actively towed by one or more fishing vessels and consisting of a net closed at the back by a bag or a codend;
- (12) ‘towed gear’ means any trawls, Danish seines, dredges and similar gear which are actively moved in the water by one or more fishing vessels or by any other mechanised system;
- (13) ‘bottom trawl’ means a trawl designed and rigged to operate on or near the seabed;
- (14) ‘bottom pair trawl’ means a bottom trawl towed by two boats simultaneously, one towing each side of the trawl. The horizontal opening of the trawl is maintained by the distance between the two vessels as they tow the gear;
- (15) ‘pelagic trawl’ means a trawl designed and rigged to operate in midwater;
- (16) ‘beam trawl’ means gear with a trawl net open horizontally by a beam, wing or similar device;
- (17) ‘electric pulse trawl’ means a trawl which uses an electric current to catch marine biological resources;
- (18) ‘Danish seine’ or ‘Scottish seine’ means an encircling and towed gear, operated from a boat by means of two long ropes (seine ropes) designed to herd the fish towards the opening of the seine. The gear is made up of a net which is similar in design to a bottom trawl;
- (19) ‘shore seines’ means surrounding nets and towed seines set from a boat and pulled towards the shore as they are being operated from the shore or from a vessel moored or anchored by the shore;
- (20) ‘surrounding nets’ means nets which catch fish by surrounding them both from the sides and from below. They may or may not be equipped with a purse line;
- (21) ‘purse seine’ or ‘ring nets’ means any surrounding net where the bottom is drawn together by means of a purse line situated at the bottom of the net, which passes

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through a series of rings along the groundrope, enabling the net to be pursed and closed;

- (22) ‘dredges’ means gear which are either actively towed by the main boat engine (boat dredge) or hauled by a motorised winch from an anchored vessel (mechanised dredge) to catch bivalves, gastropods or sponges and which consist of a net bag or metal basket mounted on a rigid frame or rod of variable size and shape whose lower part may carry a scraper blade that can be either rounded, sharp or toothed, and may or may not be equipped with skids and diving boards. Some dredges are equipped with hydraulic equipment (hydraulic dredges). Dredges pulled by hand or by manual winches in shallow waters with or without a boat to catch bivalves, gastropods or sponges (hand dredges) shall not be considered towed gear for the purpose of this Regulation;
- (23) ‘static nets’ means any type of gillnet, entangling net or trammel net that is anchored to the seabed for fish to swim into and become entangled or enmeshed in the netting;
- (24) ‘driftnet’ means a net held on the water surface or at a certain distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached. It may be equipped with devices aiming to stabilise the net or to limit its drift;
- (25) ‘gillnet’ means a static net made up of a single piece of net and held vertically in the water by floats and weights;
- (26) ‘entangling net’ means a static net consisting of a wall of netting rigged so that the netting is hung onto the ropes to create a greater amount of slack netting than a gillnet;
- (27) ‘trammel net’ means a static net made up of several layers of netting with two outer layers of a large mesh size with a sheet of small mesh sandwiched between them;
- (28) ‘combined gillnet and trammel net’ means any bottom-set gillnet combined with a trammel net which constitutes the lower part;
- (29) ‘longline’ means a fishing gear consisting of a main line of variable length, to which branch lines (snoods) with hooks are fixed at intervals determined by the target species. The main line is anchored either horizontally on or near the bottom or vertically, or can be allowed to drift on the surface;
- (30) ‘pots and creels’ means traps in the form of cages or baskets having one or more entrances, designed to catch crustaceans, molluscs or fish, that are set on the seabed or suspended above it;
- (31) ‘handline’ means a single fishing line with one or more lures or baited hooks;
- (32) ‘St Andrew’s cross’ means a grab which employs a scissor-like action to harvest for example bivalve molluscs or red coral from the seabed;
- (33) ‘codend’ means the rearmost part of the trawl, having either a cylindrical shape, with the same circumference throughout, or a tapering shape. It can be made up of one or more panels (pieces of netting) attached to one another along their sides and can include the lengthening piece which is made up of one or more panels located just in front of the codend *sensu stricto*;
- (34) ‘mesh size’ means:
- (i) for knotted netting: the longest distance between two opposite knots in the same mesh when fully extended;

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- (ii) for knotless netting: the inside distance between the opposite joints in the same mesh when fully extended along its longest possible axis;
- (35) ‘square mesh’ means a quadrilateral mesh composed of two sets of parallel bars of the same nominal length, where one set is parallel to, and the other is at right angles to, the longitudinal axis of the net;
- (36) ‘diamond mesh’ means a mesh composed of four bars of the same length where the two diagonals of the mesh are perpendicular and one diagonal is parallel to the longitudinal axis of the net;
- (37) ‘T90’ means trawls, Danish seines or similar towed gear having a codend and extension piece produced from knotted diamond mesh netting turned 90° so that the main direction of run of the netting is parallel to the towing direction;
- (38) ‘Bacoma exit window’ means an escape panel constructed in knotless square mesh netting fitted into the top panel of a codend with its lower edge no more than four meshes from the codline;
- (39) ‘sieve net’ means a piece of netting attached to the full circumference of the shrimp trawl in front of the codend or extension piece, and tapering to an apex where it is attached to the bottom sheet of the shrimp trawl. An exit hole is cut where the sieve net and codend join, allowing species or individuals too large to pass through the sieve to escape, whereas the shrimp can pass through the sieve and into the codend;
- (40) ‘drop’ means the sum of the height of the meshes (including knots) in a net when wet and stretched perpendicular to the float line;
- (41) ‘immersion time’ or ‘soak time’ means the period from the point of time when the gear is first put in the water until the point of time when the gear is fully recovered on board the fishing vessel;
- (42) ‘gear monitoring sensors’ means remote electronic sensors that are placed on fishing gear to monitor key performance parameters such as the distance between trawl doors or volume of the catch;
- (43) ‘weighted line’ means a line of baited hooks with added weight to increase its sinking speed and thereby reduce its time of exposure to seabirds;
- (44) ‘acoustic deterrent device’ means devices aimed to deter species such as marine mammals from fishing gear by emitting acoustic signals;
- (45) ‘bird scaring lines’ (also called a tori line) means lines with streamers that are towed from a high point near the stern of fishing vessels as baited hooks are deployed, with the aim of scaring seabirds away from the hooks;
- (46) ‘direct restocking’ means the activity of releasing live wild animals of selected species into waters where they occur naturally, in order to use the natural production of the aquatic environment to increase the number of individuals available for fisheries and/or to increase natural recruitment;
- (47) ‘transplantation’ means the process by which a species is intentionally transported and released by humans within areas of established populations of that species;
- (48) ‘selectivity performance indicator’ means a reference tool to monitor progress over time towards the achievement of the <sup>F29</sup>... objective of minimising unwanted catches;

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- (49) ‘spear gun’ means a pneumatic or mechanically powered hand-held gun that shoots a spear for the purpose of underwater fishing;
- (50) ‘length of optimal selectivity ( $L_{opt}$ )’ is the average length of capture, provided by the best available scientific advice, that optimises the growth of individuals in a stock [<sup>F30</sup>];
- (51) [<sup>F31</sup> ‘enactment’ has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018.]

#### Textual Amendments

- F24** Words in Art. 6(3) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in Art. 6(4) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in Art. 6(7) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in Art. 6(8) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Art. 6(10) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F29** Word in Art. 6(48) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Semicolon in Art. 6(50) substituted for full stop (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Art. 6(51) inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(6)(g)**; 2020 c. 1, Sch. 5 para. 1(1)

## CHAPTER II

### COMMON TECHNICAL MEASURES

#### SECTION 1

##### *Prohibited fishing gear and uses*

##### *Article 7*

##### **Prohibited fishing gear and methods**

- 1 It shall be prohibited to catch or harvest marine species using the following methods:
- a toxic, stupefying or corrosive substances;
  - b electric current except for the electric pulse trawl, which shall only be allowed under the specific provisions of Part D of Annex V;

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- c explosives;
- d pneumatic hammers or other percussive instruments;
- e towed devices for harvesting red coral or other type of corals or coral-like organisms;
- f St Andrew's cross and similar grabs for harvesting, in particular, red coral or other type of corals and coral-like species;
- g any type of projectile, with the exception of those used to kill caged or trapped tuna and of hand-held spears and spear guns used in recreational fishing without an aqualung, from dawn until dusk.

2 Notwithstanding Article 2, this Article shall apply to [<sup>F32</sup>United Kingdom] vessels in international waters and the waters of third countries, except where the rules adopted by multilateral fisheries organisations, under bilateral or multilateral agreements, or by a third country, specifically provide otherwise.

#### **Textual Amendments**

**F32** Words in Art. 7(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(7)**; 2020 c. 1, Sch. 5 para. 1(1)

## *SECTION 2*

### *General restrictions on gear and conditions for their use*

#### *Article 8*

#### **General restrictions on the use of towed gear**

1 For the purpose of Annexes [<sup>F33</sup>5, 6, 7 and 12], the mesh size of a towed gear as set out in those Annexes shall mean the minimum mesh size of any codend and any extension piece found on board a fishing vessel and attached to, or suitable for attachment to, any towed net. This paragraph shall not apply to netting devices used for the attachment of gear monitoring sensors or when used in conjunction with fish and turtle excluder devices. Further derogations to improve size or species selectivity for marine species may be provided for in [<sup>F34</sup>regulations made] in accordance with Article 15.

2 Paragraph 1 shall not apply to dredges. However, during any voyage when dredges are carried on board the following shall apply:

- a it shall be prohibited to tranship marine organisms;
- <sup>F35</sup>b .....
- c <sup>F36</sup>... it shall be prohibited to retain on board or land any quantity of marine organisms unless at least 95 % by live weight thereof consists of bivalve molluscs, gastropods and sponges.

Points (b) and (c) of this paragraph shall not apply to unintended catches of species subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013. Such unintended catches shall be landed and counted against quotas.

3 Whenever more than one net is towed simultaneously by a fishing vessel or by more than one fishing vessel, each net shall have the same nominal mesh size. [<sup>F37</sup>Regulations made] pursuant to Article 15 [<sup>F38</sup>may provide for derogations] from this paragraph, where the use of

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several nets having a different mesh size leads to such benefits for the conservation of marine biological resources that are at least equivalent to those of existing fishing methods.

4 It shall be prohibited to use any device that obstructs or otherwise effectively diminishes the mesh size of the codend or any part of a towed gear, as well as to carry on board any such device that is specifically designed for that purpose. This paragraph shall not exclude the use of specified devices used to reduce wear and tear of and strengthen the towed gear, or to limit the escape of catches in the forward part of towed gear.

[<sup>F395</sup> A fisheries administration may make regulations establishing detailed rules for the specification of codends and devices referred to in paragraph 4. Regulations made under this paragraph must be based on the best available scientific and technical advice and may, in particular, define the matters specified in paragraph 8.

6 Subject to paragraph 7, the Secretary of State may make regulations establishing detailed rules for the specification of codends and devices referred to in paragraph 4. Regulations made under this paragraph must be based on the best available scientific and technical advice and may, in particular, define the matters specified in paragraph 8.

7 Where the exercise of the power to make regulations under paragraph 5 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 6 the Secretary of State must obtain the consent of—

- a) the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- c) the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.

8 The matters referred to in paragraphs 5 and 6 are—

- a) restrictions on twine thickness;
- b) restrictions on the circumference of codends;
- c) restrictions on the use of netting materials;
- d) structure and attachment of codends;
- e) permitted devices to reduce wear and tear; and
- f) permitted devices to limit the escape of catches.

9 Before making any regulations under this Article, a fisheries administration must consult—

- a) such bodies or persons as appear to the fisheries administration to be representative of the interests likely to be substantially affected by the regulations;
- b) such other bodies or persons as the fisheries administration may consider appropriate.]

#### Textual Amendments

**F33** Words in Art. 8(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(8)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

**F34** Words in Art. 8(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)



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- F35** Art. 8(2)(b) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(8)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 8(2)(c) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(8)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F37** Words in Art. 8(3) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(8)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in Art. 8(3) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(8)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F39** Art. 8(5)-(9) substituted for Art. 8(5) (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(8)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 9

### General restrictions on the use of static nets and driftnets

1 It shall be prohibited to have on board or deploy one or more driftnets the individual or total length of which is more than 2,5 km.

2 It shall be prohibited to use driftnets to fish for the species listed in Annex III.

**F40**<sup>3</sup> .....

4 It shall be prohibited to use bottom-set gillnets, entangling nets and trammel nets to catch the following species:

- a Albacore (*Thunnus alalunga*);
- b Bluefin tuna (*Thunnus thynnus*);
- c Ray's bream (*Brama brama*);
- d Swordfish (*Xiphias gladius*);
- e Sharks belonging to the following species or families *Hexanchus griseus*; *Cetorhinus maximus*; all species of *Alopiidae*; *Carcharhinidae*; *Sphyrnidae*; *Isuridae*; *Lamnidae*.

**F41**<sup>5</sup> .....

6 It shall be prohibited to deploy any bottom set gillnet, entangling net and trammel net at any position where the charted depth is greater than 200 m.

7 Notwithstanding paragraph 6 of this Article:

- a specific derogations as set out in point 6.1 of Part C of Annex V, point 9.1 of Part C of Annex VI and point 4.1 of Part C of Annex VII shall apply where the charted depth is between 200 and 600 m;

**F42**<sup>b</sup> .....

#### Textual Amendments

- F40** Art. 9(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F41** Art. 9(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F42** Art. 9(7)(b) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### SECTION 3

#### *Protection of sensitive species and habitats*

##### *Article 10*

#### **Prohibited fish and shellfish species**

1 The catching, retention on board, transhipment or landing of fish or shellfish species referred to in Annex IV to Directive 92/43/EEC shall be prohibited [<sup>F43</sup>unless authorised under the terms of a licence granted under regulation 55 of the Conservation of Offshore Marine Habitats and Species Regulations 2017, regulation 55 of the Conservation of Habitats and Species Regulations 2017, regulation 39 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 or regulation 44 of the Conservation (Natural Habitats, &c.) Regulations 1994].

2 In addition to the species referred to in paragraph 1, it shall be prohibited for [<sup>F44</sup>United Kingdom] vessels to fish for, retain on board, tranship, land, store, sell, display or offer for sale the species listed in Annex I or species for which fishing is prohibited under other [<sup>F45</sup>relevant retained direct EU legislation].

3 When caught accidentally, species referred to in paragraphs 1 and 2 shall not be harmed and specimens shall be promptly released back into the sea, except for the purpose of allowing scientific research on accidentally killed specimens in accordance with [<sup>F46</sup>relevant retained direct EU legislation].

4 [<sup>F47</sup>Subject to paragraph 4A, the Secretary of State may by regulations] amend the list set out in Annex I, where the best available scientific advice indicates that an amendment of that list is necessary.

[<sup>F48</sup>4A Where, in the circumstances described in paragraph 4B, the exercise of the power to make regulations under paragraph 4 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under that power the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation in the circumstances described in paragraph 4B;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation in the circumstances described in paragraph 4B;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation in the circumstances described in paragraph 4B.

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4B The circumstances referred to in paragraph 4A are circumstances where the power in paragraph 4 is treated as a power exercisable by “a fisheries administration” instead of a power exercisable by the Secretary of State.]

5 Measures adopted pursuant to paragraph 4 of this Article shall aim at achieving the target set out in point (b) of Article 4(1) and may take into account international agreements concerning the protection of sensitive species.

#### Textual Amendments

- F43** Words in Art. 10(1) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 10(2) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F45** Words in Art. 10(2) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Words in Art. 10(3) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Art. 10(4) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F48** Art. 10(4A)(4B) inserted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(10)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 11

#### Catches of marine mammals, seabirds and marine reptiles

1 The catching, retention on board, transshipment or landing of marine mammals or marine reptiles referred to in Annexes II and IV to Directive 92/43/EEC and of species of seabirds covered by Directive 2009/147/EC shall be prohibited.

2 When caught, species referred to in paragraph 1 shall not be harmed and specimens shall be promptly released.

3 Notwithstanding paragraphs 1 and 2, the retention on board, transshipment or landing of specimens of marine species referred to in paragraph 1 which have been caught accidentally, shall be permitted as far as this activity is necessary to secure assistance for the recovery of the individual animals and to allow for scientific research on incidentally killed specimens, provided that the competent<sup>F49</sup> ... authorities [<sup>F50</sup>of the fisheries administration] concerned have been fully informed in advance as soon as possible after the catch and in accordance with [<sup>F51</sup>relevant retained direct EU legislation].

4 On the basis of the best available scientific advice a [<sup>F52</sup>fisheries administration] may [<sup>F53</sup>by regulations] put in place mitigation measures or restrictions on the use of certain gear. Such measures shall minimise, and where possible eliminate, the catches of the species referred to in paragraph 1 of this Article<sup>F54</sup> ... and be at least as stringent as technical measures applicable under [<sup>F55</sup>relevant retained direct EU legislation].

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5 Measures adopted pursuant to paragraph 4 of this Article shall aim at achieving the target set out in point (b) of Article 4(1).<sup>F56</sup>...

#### Textual Amendments

- F49** Word in Art. 11(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 11(3) inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F51** Words in Art. 11(3) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Words in Art. 11(4) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Words in Art. 11(4) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in Art. 11(4) omitted (31.12.2020) by virtue of [Fisheries Act 2020](#) (c. 22), s. 54(3)(f), **Sch. 11 para. 11(4)** (with [Sch. 4 para. 31](#), [Sch. 11 para. 15\(5\)](#))
- F55** Words in Art. 11(4) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 11(5) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(11)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 12

#### Protection for sensitive habitats including vulnerable marine ecosystems

1 It shall be prohibited to deploy the fishing gear specified in Annex II within the relevant areas set out in that Annex.

<sup>F572</sup> Where the best available scientific advice recommends an amendment of the list of areas set out in Annex 2 the Secretary of State may, subject to paragraph 2A, by regulations amend Annex 2 accordingly. When making regulations under this paragraph the Secretary of State must have regard to the need to mitigate the negative effects of the displacement of fishing activity to other sensitive areas.

2A Where, in the circumstances described in paragraph 2B, the exercise of the power to make regulations under paragraph 2 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under that power the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation in the circumstances described in paragraph 2B;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation in the circumstances described in paragraph 2B;

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- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation in the circumstances described in paragraph 2B.

2B The circumstances referred to in paragraph 2A are circumstances where the power in paragraph 2 is treated as a power exercisable by “a fisheries administration” instead of a power exercisable by the Secretary of State.

2C Before making any regulations under paragraph 2, the Secretary of State must consult—

- a such bodies or persons as appear to the Secretary of State to be representative of the interests likely to be substantially affected by the regulations;
- b such other bodies or persons as the Secretary of State may consider appropriate.]

<sup>F58</sup>3 .....

4 Measures adopted pursuant to paragraphs 2 and 3 of this Article shall aim at achieving the target set out in point (c) of Article 4(1).

**Textual Amendments**

**F57** Art. 12(2)-(2C) substituted for Art. 12(2) (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(12)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F58** Art. 12(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(12)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

*SECTION 4*

*Minimum conservation reference sizes*

*Article 13*

**Minimum conservation reference sizes**

1 The minimum conservation reference sizes of marine species specified in Part A of Annexes [<sup>F59</sup>5, 6, 7 and 12] to this Regulation shall apply for the purpose of:

- a ensuring the protection of juveniles of marine species pursuant to Article 15(11) and (12) of Regulation (EU) No 1380/2013;
- b establishing fish stock recovery areas <sup>F60</sup>...;
- c constituting minimum marketing sizes pursuant to Article 47(2) of Regulation (EU) No 1379/2013 of the European Parliament and of the Council<sup>(25)</sup>.

2 The size of a marine species shall be measured in accordance with Annex IV.

3 Where more than one method of measuring the size of a marine species is provided for, the specimen shall not be considered to be below the minimum conservation reference size if the size measured by any one of those methods is equal to, or greater than, the minimum conservation reference size.

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4 Lobsters, crawfish, and bivalve and gastropod molluscs belonging to any such species for which a minimum conservation reference size is established in Annexes V, VI or VII may only be retained on board whole and may only be landed whole.

#### Textual Amendments

- F59** Words in Art. 13(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(13)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F60** Words in Art. 13(1)(b) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(13)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### SECTION 5

#### *Measures to reduce discarding*

#### *Article 14*

#### **Pilot projects for the avoidance of unwanted catches**

1 Without prejudice to Article 14 of Regulation (EU) No 1380/2013, [<sup>F61</sup>a fisheries administration] may conduct pilot projects with the aim of exploring methods for the avoidance, minimisation and elimination of unwanted catches. Those pilot projects shall <sup>F62</sup>... be based on the best available scientific advice.

2 Where the results of those pilot studies or other scientific advice indicate that unwanted catches are significant, the [<sup>F63</sup>fisheries administration] concerned shall endeavour to establish technical measures to reduce those unwanted catches <sup>F64</sup>....

#### Textual Amendments

- F61** Words in Art. 14(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(14)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F62** Words in Art. 14(1) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(14)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Words in Art. 14(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(14)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Words in Art. 14(2) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(14)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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## CHAPTER III

### REGIONALISATION

#### Article 15

#### Regional technical measures

1 Technical measures established at regional level are set out in the following Annexes:

- a in Annex V for the North Sea;
- b in Annex VI for North Western Waters;
- c in Annex VII for South Western Waters;
- <sup>F65</sup>d .....
- <sup>F65</sup>e .....
- <sup>F65</sup>f .....
- <sup>F65</sup>g .....
- h in Annex XIII for sensitive species.

2 In order to take into account regional specificities of the relevant fisheries, [<sup>F66</sup>a fisheries administration may by regulations] amend, supplement, repeal or derogate from the technical measures set out in the Annexes referred to in paragraph 1 of this Article, including when implementing the landing obligation in the context of Article 15(5) and (6) of Regulation (EU) No 1380/2013. [<sup>F67</sup>A fisheries administration must obtain scientific evidence to support any measures contained in regulations made under this paragraph.]

[<sup>F68</sup>2A In order to take into account regional specificities of the relevant fisheries, the Secretary of State may, subject to paragraph 2B, by regulations amend, supplement, repeal or derogate from the technical measures set out in the Annexes referred to in paragraph 1 of this Article, including implementing the landing obligation in the context of Article 15(5) and (6) of Regulation (EU) No 1380/2013. The Secretary of State must obtain scientific evidence to support any measures contained in regulations made under this paragraph.

2B Where the exercise of the power to make regulations under paragraph 2 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making regulations under the power in paragraph 2A the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.

2C Before making any regulations under this Article, a fisheries administration must consult—

- a such bodies or persons as appear to the fisheries administration to be representative of the interests likely to be substantially affected by the regulations;
- b such other bodies or persons as the fisheries administration may consider appropriate.]

<sup>F69</sup>3 .....

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- 4 The technical measures adopted pursuant to paragraph 2 of this Article shall:
- a aim at achieving the objectives and targets set out in Articles 3 and 4 of this Regulation;
  - b aim at achieving the objectives and comply with the conditions set out in other relevant [<sup>F70</sup>retained direct EU legislation], in particular in the multiannual plans referred to in Articles 9 and 10 of Regulation (EU) No 1380/2013;
  - c be guided by the principles of good governance set out in Article 3 of Regulation (EU) No 1380/2013;
  - d as a minimum, lead to such benefits for the conservation of marine biological resources that are at least equivalent, in particular in terms of exploitation patterns and the level of protection provided for sensitive species and habitats, to the measures referred to in paragraph 1. The potential impact of fishing activities on the marine ecosystem shall also be taken into account.

5 The application of the conditions in relation to the mesh size specifications set out in Article 27 and in Part B of Annexes [<sup>F71</sup>5, 6, 7 and 12] shall not lead to a deterioration of selectivity standards, in particular in terms of an increase in the catches of juveniles, existing on 14 August 2019, and shall aim at achieving the objectives and targets set out in Articles 3 and 4.

<sup>F72</sup>6 .....

<sup>F72</sup>7 .....

#### Textual Amendments

- F65** Art. 15(1)(d)-(g) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F66** Words in Art. 15(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in Art. 15(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F68** Art. 15(2A)-(2C) inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F69** Art. 15(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F70** Words in Art. 15(4)(b) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F71** Words in Art. 15(5) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F72** Art. 15(6)(7) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(15)(g)**; 2020 c. 1, Sch. 5 para. 1(1)



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## <sup>F73</sup> Article 16

### Species and size selectivity of fishing gear

Before making regulations under Article 15(2) which contain measures in relation to size-selective or species-selective characteristics of gear, a fisheries administration must obtain scientific evidence demonstrating that the measures result in selectivity characteristics for specific species or combination of species which are at least equivalent to the selectivity characteristics of the gear set out in Part B of Annexes 5, 6 and 7.]

#### Textual Amendments

**F73** Art. 16 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(16)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 17

### Closed or restricted areas to protect juveniles and spawning aggregations

[<sup>F74</sup>When making regulations under Article 15(2) in relation to Part C of Annexes 5, 6 and 7] or in order to establish new closed or restricted areas [<sup>F75</sup>, a fisheries administration must have regard to] the following elements in respect of such closed or restricted areas:

- (a) the objective of the closure;
- (b) the geographical extent and duration of the closure;
- (c) restrictions on specific gear; and
- (d) control and monitoring arrangements.

#### Textual Amendments

**F74** Words in Art. 17 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(17)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F75** Words in Art. 17 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(17)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 18

### Minimum conservation reference sizes

[<sup>F76</sup>Regulations made under] Article 15(2) in relation to Part A of Annexes [<sup>F77</sup>5, 6 and 7] shall respect the objective of ensuring the protection of juveniles of marine species.

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#### Textual Amendments

- F76** Words in Art. 18 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(18)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F77** Words in Art. 18 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(18)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 19

#### Real-time closures and moving-on provisions

1 <sup>[F78]</sup> Regulations made under Article 15] in relation to the creation of real-time closures with the aim of ensuring the protection of sensitive species or of aggregations of juveniles, spawning fish or shellfish species, shall include the following elements:

- a the geographical extent and duration of the closures;
- b the species and threshold levels that trigger the closure;
- c the use of highly selective gear to allow access to otherwise closed areas; and
- d control and monitoring arrangements.

2 <sup>[F79]</sup> Regulations made under Article 15], in relation to moving-on provisions, shall include:

- a the species and threshold levels that trigger an obligation to move;
- b the distance by which a vessel is to move away from its previous fishing position.

<sup>[F80]</sup> Regulations made under Article 15 in relation to the matters specified in paragraphs 1 or 2 may amend or repeal retained EU law adopted under Article 51(3) of Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy.]

#### Textual Amendments

- F78** Words in Art. 19(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F79** Words in Art. 19(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F80** Art. 19(3) inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(19)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 20

#### Innovative fishing gear

<sup>[F81]</sup> Before making regulations under Article 15(2) which contain measures in relation to the use of innovative fishing gear, a fisheries administration must carry out an assessment based on appropriate data of the likely impacts of using such gear on the targeted species and on sensitive species and habitats.]

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2 The use of innovative fishing gear shall not be permitted where the assessments referred to in paragraph 1 indicate that their use will lead to significant negative impacts on sensitive habitats and non-target species.

#### Textual Amendments

**F81** Art. 20(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(20)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 21

#### Nature conservation measures

[<sup>F82</sup>Regulations made under] Article 15(2), in relation to the protection of sensitive species and habitats, may in particular:

- (a) [<sup>F83</sup>include measures relating to] lists of sensitive species and habitats most at risk from fishing activities within the relevant region based on the best available scientific advice;
- (b) specify the use of additional or alternative measures to those referred to in Annex XIII to minimise the incidental catches of the species referred to in Article 11;
- (c) <sup>F84</sup> .....
- (d) specify measures to minimise the impacts of fishing gear on sensitive habitats;
- (e) specify restrictions on the operation of certain gear or introduce a total prohibition on the use of certain fishing gear within an area where such gear represent a threat to the conservation status of species in that area as referred to in Articles 10 and 11 or other sensitive habitats.

#### Textual Amendments

**F82** Words in Art. 21 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(21)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F83** Words in Art. 21(a) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(21)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**F84** Art. 21(c) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(21)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 22

#### Regional measures under temporary discard plans

1 [<sup>F85</sup>Technical measures in discard plans made under] Article 15(6) of Regulation (EU) No 1380/2013 [<sup>F86</sup>or in regulations made under Article 15(2) of this Regulation] may contain, inter alia, the following elements:

- a specifications of fishing gear and the rules governing their use;

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- b specifications of modifications to fishing gear or use of selectivity devices to improve size or species selectivity;
- c restrictions or prohibitions on the use of certain fishing gear and on fishing activities in certain areas or during certain periods;
- d minimum conservation reference sizes;
- e derogations adopted on the basis of Article 15(4) of Regulation (EU) No 1380/2013.

2 The measures referred to in paragraph 1 of this Article shall aim at achieving the objectives set out in Article 3 and in particular for the protection of juveniles or spawning aggregations of fish or shellfish species.

#### Textual Amendments

- F85** Words in Art. 22(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(22)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F86** Words in Art. 22(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(22)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 23

#### Pilot projects on full documentation of catches and discards

1 [<sup>F87</sup>A fisheries administration may, by regulations, supplement] this Regulation by defining pilot projects that develop a system of full documentation of catches and discards based on measurable objectives and targets, for the purpose of a results-based management of fisheries.

2 The pilot projects referred to in paragraph 1 may derogate from the measures set out in Part B of Annexes [<sup>F88</sup>5, 6 and 7] for a specific area and for a maximum period of one year, provided that it can be demonstrated that such pilot projects contribute to achieving the objectives and targets set out in Articles 3 and 4 and, in particular, aim at improving the selectivity of the fishing gear or practice concerned or otherwise reduce its environmental impact. That one-year period may be extended by one additional year under the same conditions. It shall be limited to no more than 5 % of [<sup>F89</sup>United Kingdom fishing vessels fishing in the relevant fishery].

3 [<sup>F90</sup>... Within six months of the conclusion of the project, [<sup>F91</sup>the fisheries administration must publish] a report [<sup>F92</sup>... outlining the results, including a detailed assessment of the changes in selectivity and other environmental impacts.

[<sup>F93</sup>4 Where the report referred to in paragraph 3 concludes that the contribution of the new gear or practice is beneficial to the achievement of the objective in paragraph 2, a fisheries administration may by regulations allow for the generalised use of that gear or practice.

4A Subject to paragraph 4B, where the report referred to in paragraph 3 concludes that the contribution of the new gear or practice is beneficial to the achievement of the objective in paragraph 2, the Secretary of State may by regulations allow for the generalised use of that gear or practice.

4B Where the exercise of the power to make regulations under paragraph 4 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No

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1380/2013, before making such regulations under the power in paragraph 4A the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.]

[<sup>F945</sup> A fisheries administration may by regulations supplement this Regulation by defining the technical specifications of a system for full documentation of catches and discards referred to in paragraph 1 of this Article.

6 Subject to paragraph 7, the Secretary of State may by regulations supplement this Regulation by defining the technical specifications of a system for full documentation of catches and discards referred to in paragraph 1 of this Article.

7 Where the exercise of the power to make regulations under paragraph 5 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 6 the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.

8 Before making any regulations under this Article, a fisheries administration must consult—

- a such bodies or persons as appear to the fisheries administration to be representative of the interests likely to be substantially affected by the regulations;
- b such other bodies or persons as the fisheries administration may consider appropriate.]

#### Textual Amendments

- F87** Words in Art. 23(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F88** Words in Art. 23(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F89** Words in Art. 23(2) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F90** Words in Art. 23(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F91** Words in Art. 23(3) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

- F92** Words in Art. 23(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F93** Art. 23(4)-(4B) substituted for Art. 23(4) (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F94** Art. 23(5)-(8) substituted for Art. 23(5) (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(23)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

## *l<sup>F95</sup> Article 24*

### **Implementing Regulations**

1 A fisheries administration may make regulations for the purposes specified in paragraph 4.

2 Subject to paragraph 3, the Secretary of State may make regulations for the purposes specified in paragraph 4.

3 Where the exercise of the power to make regulations under paragraph 1 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 2 the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.

4 The purposes referred to in paragraphs 1 and 2 are establishing—

- a the specifications of the selection devices attached to the gear set out in Part B of Annexes 5, 6, 7 and 12;
- b detailed rules on the specifications of the fishing gear described in Part D of Annex 5 relating to restrictions on gear construction and associated control and monitoring measures;
- c detailed rules on the control and monitoring measures relating to the use of the gear referred to in point 6 of Part C of Annex 5, point 4 of Part C of Annex 7 and point 4 of Part C of Annex 12;
- d detailed rules on the control and monitoring measures relating to the closed or restricted areas described in point 2 of Part C of Annex 5 and points 6 and 7 of Part C of Annex 6;
- e detailed rules on the signal and implementation characteristics of acoustic deterrent devices as referred to in Part A of Annex 13;
- f detailed rules on the design and deployment of bird scaring lines and weighted lines as referred to in Part B of Annex 13;
- g detailed rules on the specifications for the turtle excluder device referred to in Part C of Annex 13.]

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

#### Textual Amendments

**F95** Art. 24 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(24)**; 2020 c. 1, Sch. 5 para. 1(1)

## CHAPTER IV

### SCIENTIFIC RESEARCH, DIRECT RESTOCKING AND TRANSPLANTATION

#### Article 25

##### Scientific research

1 The technical measures provided for in this Regulation shall not apply to fishing operations conducted for the purpose of scientific investigations subject to the following conditions:

- a the fishing operations are to be carried out with the permission and under the authority of [<sup>F96</sup>a fisheries administration];
- [<sup>F97</sup>b a fisheries administration must be informed at least two weeks in advance of the intention to conduct such fishing operations detailing the vessels involved and the scientific investigations to be undertaken;]
- c the vessel or vessels conducting the fishing operations are to have a valid fishing authorisation in accordance with Article 7 of Regulation (EC) No 1224/2009;
- d if requested by [<sup>F98</sup>a fisheries administration], the master of the vessel shall be required to take on board an observer from [<sup>F99</sup>a fisheries administration] during the fishing operations, unless this is not possible for security reasons;
- e fishing operations conducted by commercial vessels for the purpose of scientific investigation shall be limited in time. When the fishing operations conducted by commercial vessels for a specific research involve more than six commercial vessels, [<sup>F100</sup>a fisheries administration must seek, where appropriate, scientific advice] to confirm that this level of participation is justified on scientific grounds; if the level of participation is not considered justified according to the [<sup>F101</sup>scientific advice, the fisheries administration must] amend the conditions of the scientific research accordingly;
- f in the case of electric pulse trawl, vessels conducting scientific research must follow a specific scientific protocol as part of a scientific research plan that has been reviewed or validated by ICES <sup>F102</sup>..., as well as a system for monitoring, control and evaluation.

2 Marine species caught for the purposes specified in paragraph 1 of this Article may be sold, stored, displayed or offered for sale, provided that they are counted against quotas in accordance with Article 33(6) of Regulation (EC) No 1224/2009, where applicable, and:

- a they meet the minimum conservation reference sizes set out in Annexes [<sup>F103</sup>4 to 7 and 12] to this Regulation; or
- b they are sold for purposes other than direct human consumption.

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Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

Textual Amendments

- F96 Words in Art. 25(1)(a) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(i); 2020 c. 1, Sch. 5 para. 1(1)
F97 Art. 25(1)(b) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(ii); 2020 c. 1, Sch. 5 para. 1(1)
F98 Words in Art. 25(1)(d) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(iii)(aa); 2020 c. 1, Sch. 5 para. 1(1)
F99 Words in Art. 25(1)(d) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(iii)(bb); 2020 c. 1, Sch. 5 para. 1(1)
F100 Words in Art. 25(1)(e) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(iv)(aa); 2020 c. 1, Sch. 5 para. 1(1)
F101 Words in Art. 25(1)(e) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(iv)(bb); 2020 c. 1, Sch. 5 para. 1(1)
F102 Words in Art. 25(1)(f) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(a)(v); 2020 c. 1, Sch. 5 para. 1(1)
F103 Words in Art. 25(2)(a) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(25)(b); 2020 c. 1, Sch. 5 para. 1(1)

Article 26

Direct restocking and transplantation

1 The technical measures provided for in this Regulation shall not apply to fishing operations conducted solely for the purpose of direct restocking or transplantation of marine species, provided that those operations are carried out with the permission and under the authority of [F104 a fisheries administration] having a direct management interest.

F105 2 .....

Textual Amendments

- F104 Words in Art. 26(1) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(26)(a); 2020 c. 1, Sch. 5 para. 1(1)
F105 Art. 26(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(26)(b); 2020 c. 1, Sch. 5 para. 1(1)



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## CHAPTER V

### CONDITIONS IN RELATION TO MESH SIZE SPECIFICATIONS

#### Article 27

##### Conditions in relation to mesh size specifications

- 1 The catch percentages referred to in the Annexes [<sup>F106</sup>5, 6, 7 and 12] shall mean the maximum percentage of species allowed so as to qualify for the specific mesh sizes set out in those Annexes. Such percentages shall be without prejudice to the obligation to land catches in Article 15 of Regulation (EU) No 1380/2013.
- 2 The catch percentages shall be calculated as the proportion by live weight of all marine biological resources landed after each fishing trip.
- 3 The catch percentages referred to in paragraph 2 may be calculated on the basis of one or more representative samples.
- 4 For the purpose of this Article, the equivalent weight of whole Norway lobster shall be obtained by multiplying the weight of Norway lobster tails by three.
- 5 [<sup>F107</sup>A fisheries administration] may issue fishing authorisations in accordance with Article 7 of Regulation (EC) No 1224/2009 for vessels <sup>F108</sup>... when engaged in fishing activities using the mesh-specific sizes provided for in Annexes [<sup>F109</sup>5, 6, 7 and 12]. Such authorisations may be suspended or withdrawn where a vessel has been found to not have complied with the defined catch percentages provided for in Annexes [<sup>F110</sup>5, 6, 7 and 12].
- 6 This Article shall be without prejudice to Regulation (EC) No 1224/2009.
- 7 [<sup>F111</sup>Regulations made] pursuant to Article 15 [<sup>F112</sup>may] further define the term ‘directed fishing’ for relevant species in Part B of Annexes [<sup>F113</sup>5, 6, 7 and 12]. <sup>F114</sup>...

#### Textual Amendments

- F106** Words in Art. 27(1) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F107** Words in Art. 27(5) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Art. 27(5) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 27(5) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F110** Words in Art. 27(5) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F111** Words in Art. 27(7) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F112** Word in Art. 27(7) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F113** Words in Art. 27(7) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F114** Words in Art. 27(7) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(27)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

## CHAPTER VI

### TECHNICAL MEASURES IN THE NEAFC REGULATORY AREA

#### *Article 28*

#### **Technical measures in the NEAFC Regulatory Area**

Technical measures applicable in the NEAFC Regulatory Area are set out in Annex XII.

## CHAPTER VII

### PROCEDURAL PROVISIONS

#### *F115 Article 29*

#### **Regulations**

1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.

2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.

3 Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

4 A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

5 A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

6 Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

7 Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Regulation are subject to negative resolution within the meaning of section 41(6) of

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the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.

- 8 Such regulations may—
- a contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
  - b make different provision for different purposes.]

**Textual Amendments**

**F115** Art. 29 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(28)**; 2020 c. 1, Sch. 5 para. 1(1)

*F116* **Article 30**

**Committee procedure**

**Textual Amendments**

**F116** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER VIII

**FINAL PROVISIONS**

*F117* **Article 31**

**Review and reporting**

**Textual Amendments**

**F117** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F118* **Article 32**

**Amendments to Regulation (EC) No 1967/2006**

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*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

#### Textual Amendments

**F118** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F119 Article 33*

### Amendments to Regulation (EC) No 1224/2009

#### Textual Amendments

**F119** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F120 Article 34*

### Amendment to Regulation (EU) No 1380/2013

#### Textual Amendments

**F120** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F121 Article 35*

### Amendment to Regulation (EU) 2016/1139

#### Textual Amendments

**F121** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F122 Article 36*

### Amendments to Regulation (EU) 2018/973

*Status: Point in time view as at 31/12/2021.*

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

**Textual Amendments**

**F122** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F123 Article 37*

**Amendment to Regulation (EU) 2019/472**

**Textual Amendments**

**F123** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*F124 Article 38*

**Amendment to Regulation (EU) 2019/1022**

**Textual Amendments**

**F124** Arts. 30-38 repealed (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(29)**; 2020 c. 1, Sch. 5 para. 1(1)

*Article 39*

**Repeals**

Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 are repealed.

References to the repealed Regulations shall be construed as references to this Regulation.

*F125 Article 40*

**Entry into Force**

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*Status: Point in time view as at 31/12/2021.*

**Changes to legislation:** *There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

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**Textual Amendments**

**F125** Art. 40 (including binding words) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(30)**; 2020 c. 1, Sch. 5 para. 1(1)

**F126**

...

Done at Brussels, 20 June 2019.

*For the European Parliament*

*The President*

A. TAJANI

*For the Council*

*The President*

G. CIAMBA

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**Textual Amendments**

**F126** Art. 40 (including binding words) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(30)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

## ANNEX I

### PROHIBITED SPECIES

Species for which there is a prohibition to fish for, retain on board, tranship, land, store, sell, display or offer for sale, as referred to in Article 10(2):

- (a) The following species of sawfish in [<sup>F127</sup>United Kingdom] waters:
  - (i) narrow sawfish (*Anoxypristis cuspidata*);
  - (ii) dwarf sawfish (*Pristis clavata*);
  - (iii) smalltooth sawfish (*Pristis pectinata*);
  - (iv) largetooth sawfish (*Pristis pristis*);
  - (v) green sawfish (*Pristis zijsron*);
- (b) basking shark (*Cetorhinus maximus*) and white shark (*Carcharodon carcharias*) in all waters;
- (c) smooth lantern shark (*Etmopterus pusillus*) in [<sup>F128</sup>United Kingdom] waters of ICES division 2a and subarea 4 and in [<sup>F128</sup>United Kingdom] waters of ICES subareas [<sup>F129</sup>5, 6, 7 and 8];
- (d) reef manta ray (*Manta alfredi*) in [<sup>F130</sup>United Kingdom] waters;
- (e) giant manta ray (*Manta birostris*) in [<sup>F131</sup>United Kingdom] waters;
- (f) the following species of *Mobula* rays in [<sup>F132</sup>United Kingdom] waters:
  - (i) devil fish (*Mobula mobular*);
  - (ii) lesser Guinean devil ray (*Mobula rochebrunei*);
  - (iii) spinetail mobula (*Mobula japanica*);
  - (iv) smoothtail mobula (*Mobula thurstoni*);
  - (v) longhorned mobula (*Mobula eregoodootenkee*);
  - (vi) Munk's devil ray (*Mobula munkiana*);
  - (vii) Chilean devil ray (*Mobula tarapacana*);
  - (viii) shortfin devil ray (*Mobula kuhlii*);
  - (ix) lesser devil ray (*Mobula hypostoma*);
- (g) Norwegian skate (*Raja (Dipturus) nidarosiensis*) in [<sup>F133</sup>United Kingdom] waters of ICES divisions 6a, 6b, 7a, <sup>F134</sup>... 7e, 7f, 7g [<sup>F135</sup>and 7h];
- (h) white skate (*Raja alba*) in [<sup>F136</sup>United Kingdom] waters of ICES subareas [<sup>F137</sup>6, 7 and 8]
- (i) guitarfishes (*Rhinobatidae*) in [<sup>F138</sup>United Kingdom] waters of ICES subareas [<sup>F139</sup>5–8];
- (j) angel shark (*Squatina squatina*) in [<sup>F140</sup>United Kingdom] waters;

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- (k) salmon (*Salmo salar*) and sea trout (*Salmo trutta*) when fishing with any towed net within [<sup>F141</sup>United Kingdom waters] outside the six-mile limit measured from <sup>F142</sup>... baselines in ICES sub-areas [<sup>F143</sup>2 and 4–8];
- (l) houting (*Coregonus oxyrhynchus*) in [<sup>F144</sup>United Kingdom waters of] ICES division 4b <sup>F145</sup>...;
- (m) the Adriatic sturgeon (*Acipenser naccarii*) and common sturgeon (*Acipenser sturio*) in [<sup>F146</sup>United Kingdom] waters;
- (n) <sup>F147</sup> .....
- (o) <sup>F148</sup> .....
- (p) hatpin urchin (*Centrostephanus longispinus*).

#### Textual Amendments

- F127** Words in Annex 1 point (a) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F128** Words in Annex 1 point (c) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F129** Words in Annex 1 point (c) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F130** Words in Annex 1 point (d) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F131** Words in Annex 1 point (e) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F132** Words in Annex 1 point (f) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F133** Words in Annex 1 point (g) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(f)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F134** Words in Annex 1 point (g) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(f)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F135** Words in Annex 1 point (g) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(f)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F136** Words in Annex 1 point (h) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(g)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F137** Words in Annex 1 point (h) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(g)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)



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- F138** Words in Annex 1 point (i) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(h)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F139** Words in Annex 1 point (i) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(h)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F140** Words in Annex 1 point (j) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F141** Words in Annex 1 point (k) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(j)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F142** Words in Annex 1 point (k) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(j)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F143** Words in Annex 1 point (k) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(j)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F144** Words in Annex 1 point (l) inserted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(k)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F145** Words in Annex 1 point (l) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(k)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F146** Words in Annex 1 point (m) substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(l)**; 2020 c. 1, Sch. 5 para. 1(1)
- F147** Annex 1 point (n) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(m)**; 2020 c. 1, Sch. 5 para. 1(1)
- F148** Annex 1 point (o) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(31)(n)**; 2020 c. 1, Sch. 5 para. 1(1)

## ANNEX II

### CLOSED AREAS FOR THE PROTECTION OF SENSITIVE HABITATS

For the purposes of Article 12, the following restrictions on fishing activity are applicable in the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

#### PART A

##### North Western Waters

**F149** 1. ....

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

#### Textual Amendments

**F149** Annex 2 Pt. A point 1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(32)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F150** 2. ....

#### Textual Amendments

**F150** Annex 2 Pt. A point 2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(32)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

3. It shall be prohibited to deploy any bottom trawl or similar towed nets within the following area:

Darwin Mounds:

- 59°54' N, 6°55' W
- 59°47' N, 6°47' W
- 59°37' N, 6°47' W
- 59°37' N, 7°39' W
- 59°45' N, 7°39' W
- 59°54' N, 7°25' W.

### **F151**PART B

#### South Western Waters

1. ....
2. ....
3. ....

#### Textual Amendments

**F151** Annex 2 Pt. B omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(32)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### ANNEX III

#### LIST OF SPECIES PROHIBITED FOR CAPTURE WITH DRIFTNETS

- Albacore: *Thunnus alalunga*
- Bluefin tuna: *Thunnus thynnus*
- Bigeye tuna: *Thunnus obesus*

*Status: Point in time view as at 31/12/2021.*

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- Skipjack: *Katsuwonus pelamis*
- Atlantic Bonito: *Sarda sarda*
- Yellowfin tuna: *Thunnus albacares*
- Blackfin tuna: *Thunnus atlanticus*
- Little tuna: *Euthynnus* spp.
- Southern bluefin tuna: *Thunnus maccoyii*
- Frigate tuna: *Auxis* spp.
- Oceanic sea breams: *Brama rayi*
- Marlins: *Tetrapturus* spp.; *Makaira* spp.
- Sailfishes: *Istiophorus* spp.
- Swordfishes: *Xiphias gladius*
- Sauries: *Scomberesox* spp.; *Cololabis* spp.
- Dolphinfishes: *Coryphæna* spp.
- Sharks: *Hexanchus griseus*; *Cetorhinus maximus*; *Alopiidae*; *Carcharhinidae*; *Sphyrnidae*; *Isuridae*; *Lamnidae*
- Cephalopods: all species

#### ANNEX IV

##### MEASUREMENT OF THE SIZE OF A MARINE ORGANISM

1. The size of any fish shall be measured, as shown in Figure 1, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster (*Nephrops norvegicus*) shall be measured, as shown in Figure 2, either:
  - as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or
  - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.

In the case of detached Norway lobster tails: from the front edge of the first tail segment present to the rear end of the telson, not including the setae. The tail shall be measured flat, unstretched and on the dorsal side.

3. The size of a lobster (*Homarus gammarus*) from the North Sea <sup>F152</sup>... shall be measured, as shown in Figure 3, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace [<sup>F153</sup>(as illustrated in Figure 3 by line “(a)”)].
4. <sup>F154</sup> .....
5. The size of a crawfish (*Palinurus* spp.) shall be measured, as shown in Figure 4, as the length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace.
6. The size of any bivalve mollusc shall be measured, as shown in Figure 5, across the longest part of the shell.

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7. The size of a spinous spider crab (*Maja squinado*) shall be measured, as shown in Figure 6, as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace.
8. The size of an edible crab (*Cancer pagurus*) shall be measured, as shown in Figure 7, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.
9. The size of a whelk (*Buccinum* spp.) shall be measured, as shown in Figure 8, as the length of the shell.
10. F155 .....

#### Textual Amendments

- F152** Words in Annex 4 point 3 omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(33)(a)(i); 2020 c. 1, Sch. 5 para. 1(1)
- F153** Words in Annex 4 point 3 inserted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(33)(a)(ii); 2020 c. 1, Sch. 5 para. 1(1)
- F154** Annex 4 point 4 omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(33)(b); 2020 c. 1, Sch. 5 para. 1(1)
- F155** Annex 4 point 10 omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), 5(33)(b); 2020 c. 1, Sch. 5 para. 1(1)

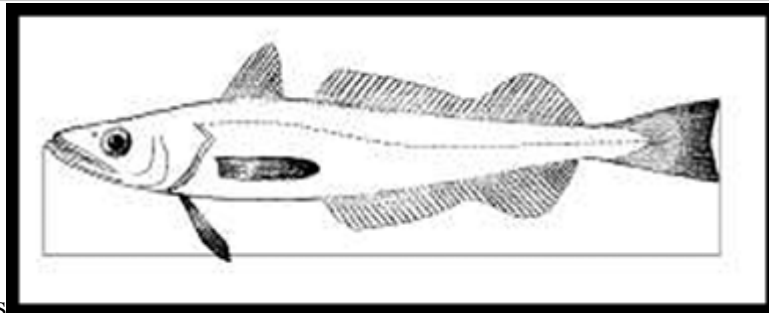


Figure 1 Fish species

Figure 2 Norway Lobster

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

*(Nephrops norvegicus)*

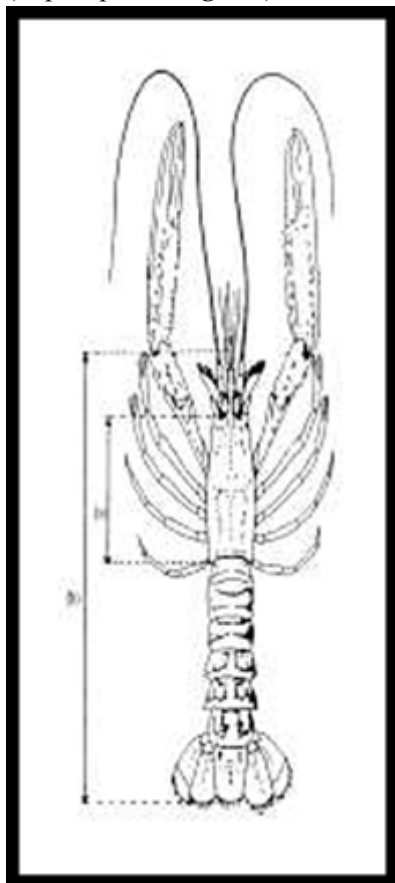


Figure 3 Lobster

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

*(Hommarus gammarus)*

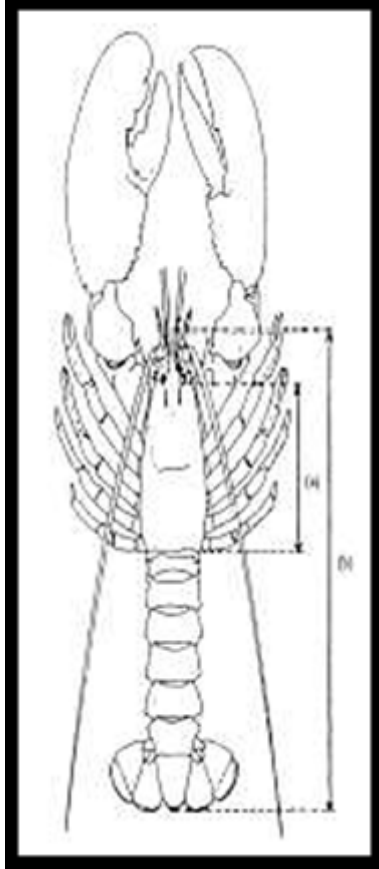
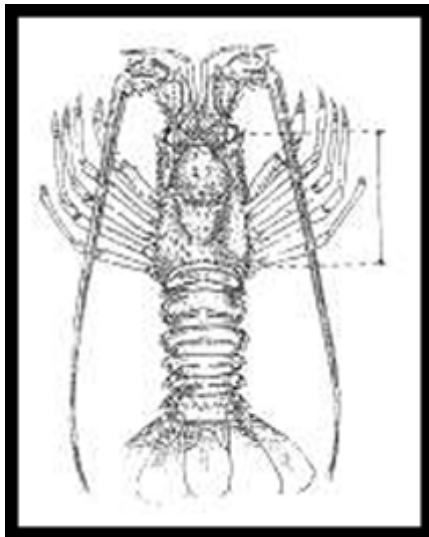


Figure 4 Crawfish

*(Palinurus spp.)*



*Status: Point in time view as at 31/12/2021.*

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

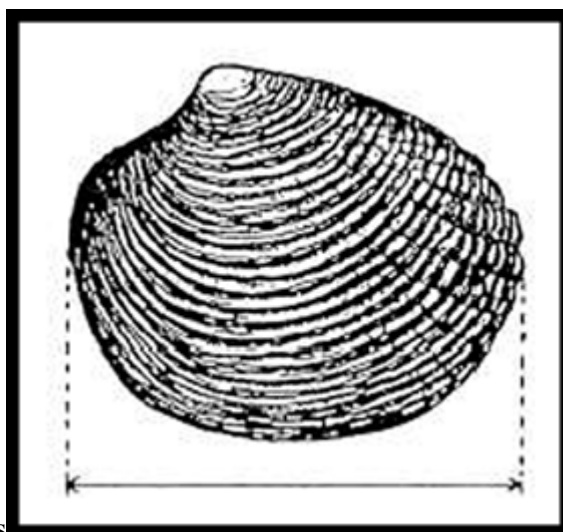


Figure 5 Bivalve molluscs  
Figure 6 Spinous Spider Crabs

*(Maja squinado)*

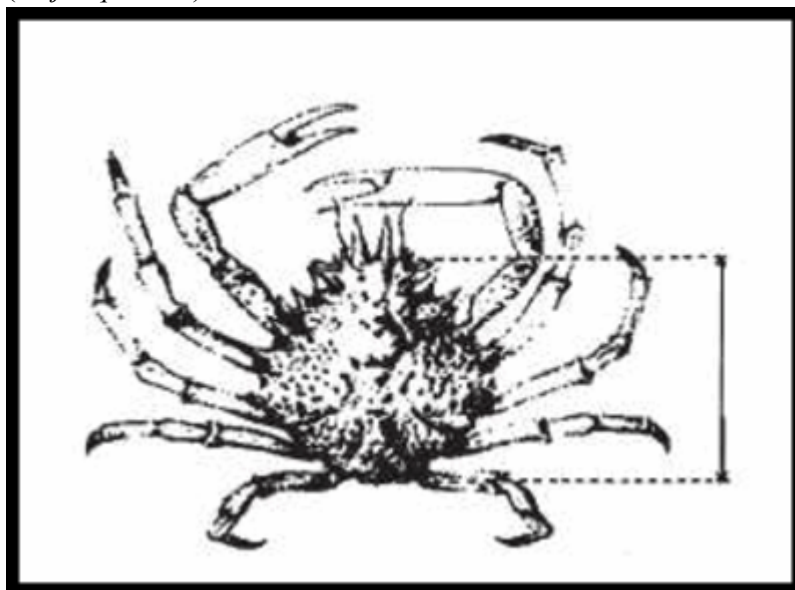


Figure 7 Edible crab

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

(*Cancer pagurus*)

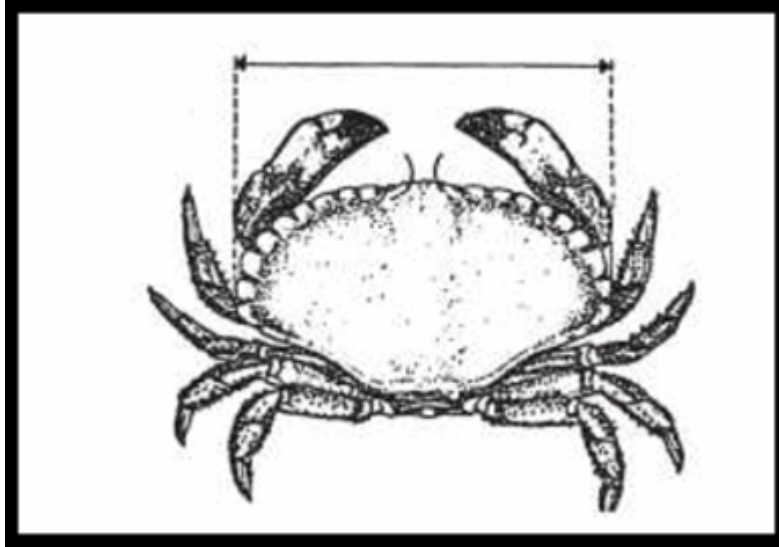


Figure 8 Whelk

(*Buccinum* spp.)

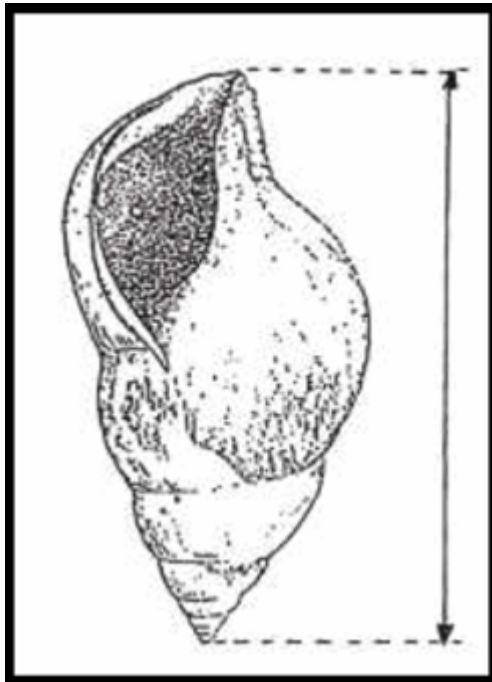


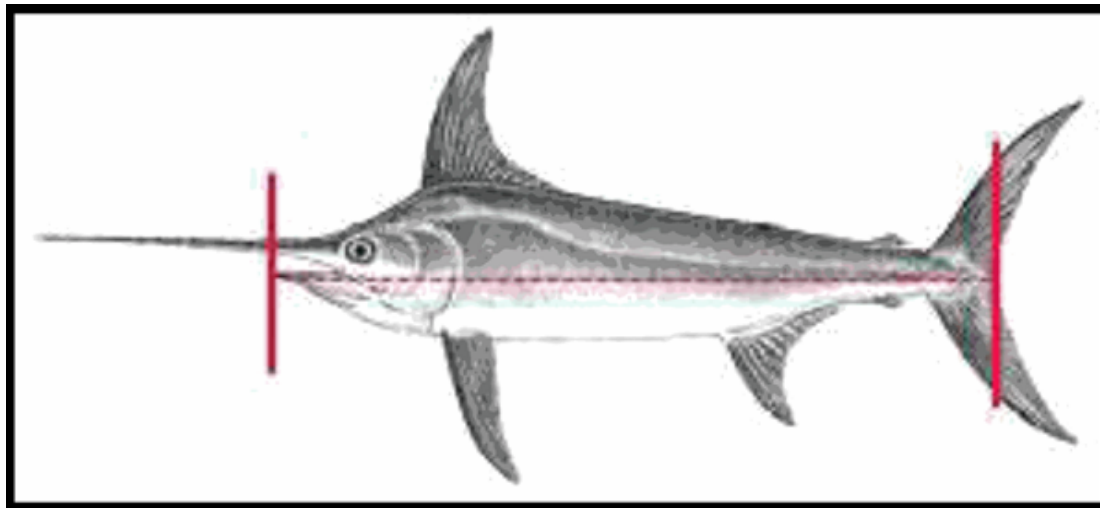
Figure 9 Swordfish



**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

(*Xiphias gladius*)



## ANNEX V

### NORTH SEA<sup>(26)</sup>

#### PART A

##### Minimum conservation reference sizes

Species	North Sea
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dipterygia</i> )	70 cm
Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 85 mm, Carapace length 25 mm Norway lobster tails 46 mm
Mackerel ( <i>Scomber</i> spp.)	30 cm <sup>d</sup>
Herring ( <i>Clupea harengus</i> )	20 cm <sup>d</sup>

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Horse mackerel ( <i>Trachurus</i> spp.)	15 cm <sup>d</sup>
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kg <sup>d</sup>
Bass ( <i>Dicentrarchus labrax</i> )	42 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm <sup>d</sup>
Lobster ( <i>Homarus gammarus</i> )	87 mm (carapace length)
Spinous spider crab ( <i>Maja squinado</i> )	120 mm
Queen scallop ( <i>Chalamys</i> spp.)	40 mm
Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm
Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm
Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum</i> .)	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 g
Crawfish ( <i>Palinurus</i> spp.)	95 mm (carapace length)
Deepwater rose shrimp ( <i>Parapenaeus longirostis</i> )	22 mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm <sup>abc</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm
Cod ( <i>Gadus morhua</i> )	30 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	27 cm
Saithe ( <i>Pollachius virens</i> )	30 cm
Pollack ( <i>Pollachius pollachius</i> )	—
Hake ( <i>Merluccius merluccius</i> )	30 cm
Megrim ( <i>Lepidorhombus</i> spp.)	25 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	23 cm
Ling ( <i>Molva molva</i> )	—

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Blue ling ( <i>Molva dypterygia</i> )	—
Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 105 mm Norway lobster tails 59 mm Carapace length 32 mm
Mackerel ( <i>Scomber</i> spp.)	20 cm <sup>d</sup>
Herring ( <i>Clupea harengus</i> )	18 cm <sup>d</sup>
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm <sup>d</sup>
Lobster ( <i>Homarus gammarus</i> )	Total length 220 mm Carapace length 78 mm

- a** In [F156 United Kingdom] waters in ICES division 4a. In ICES Divisions 4b and 4c, a minimum conservation reference size of 130 mm shall apply.
- b** In an area in ICES divisions 4b and 4c limited by a point at 53°28'22" N, 0°09'24" E, on the coast of England, a straight line joining this point with 53°28'22" N, 0°22'24" E, the 6-mile boundary of the United Kingdom, and a straight line connecting a point at 51°54'06" N, 1°30'30" E, with a point on the coast of England at 51°55'48" N, 1°17'00" E, a minimum conservation reference size of 115 mm shall apply.
- c** For edible crabs caught in pots or creels, a maximum of 1 % by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75 kg of detached crab claws may be landed.
- d** By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.  
The percentage of sardine, anchovy, herring, horse mackerel or mackerel below minimum conservation reference size shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.  
The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transshipment, landing, transportation, storage, display or sale.

#### Textual Amendments

**F156** Words in Annex 5 Pt. A table footnote substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART B

### Mesh sizes

1. Baseline mesh sizes for towed gear
  - 1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120 mm <sup>F157</sup>....

#### Textual Amendments

**F157** Words in Annex 5 Pt. B point 1.1 omitted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(b)(i)** (as substituted by [S.I. 2020/1542](#), regs. 1(2), 17(2)); 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 31/12/2021.*

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- 1.2. Without prejudice to the landing obligation,<sup>F158</sup> ... vessels may use smaller mesh sizes as listed in the following table for the North Sea<sup>F159</sup> ... provided that:
- (i) the associated conditions set out in that table are complied with, and by-catches of cod, haddock and saithe do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip; or
  - (ii) other selectivity modifications are used which have been [<sup>F160</sup>authorised by a fisheries administration following scientific assessment and approval]. Those selectivity modifications shall result in the same or better selectivity characteristics for cod, haddock and saithe as that of 120 mm.

#### Textual Amendments

**F160** Words in Annex 5 Pt. B point 1.2(ii) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(b)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

**F158** Words in Annex 5 Pt. B point 1.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

**F159** Words in Annex 5 Pt. B point 1.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

Mesh Size	Geographical Areas	Conditions
At least 100 mm <sup>a</sup>	North Sea south of 57° 30' N	Directed fishing for plaice and sole with otter trawls, beam trawls, and seines. A square mesh panel of at least 90 mm shall be fitted.
At least 80 mm <sup>a</sup>	ICES Divisions 4b and 4c	Directed fishing for sole with beam trawls. A panel with a mesh size of at least 180 mm fitted in the upper half of the anterior part of the net shall be fitted. Directed fishing for whiting, mackerel and species not subject to catch limits with bottom trawls. A square mesh panel of at least 80 mm shall be fitted.

<sup>a</sup> Vessels shall be prohibited from using any beam trawl with a mesh size between 32 and 99 mm north of a line joined by the following points by a point on the East Coast of the United Kingdom at latitude 55° N, then east to latitude 55°, longitude 5° E, then north to latitude 56° N and east to a point on the west coast of Denmark at latitude 56° N. It is prohibited to use any beam trawl of mesh size range 32 to 119 mm within ICES Division 2a and that part of ICES Sub-area 4 to the north of 56° 00' N.

**Status:** Point in time view as at 31/12/2021.

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At least 80 mm	North Sea	Directed fishing for Norway lobster ( <i>Nephrops norvegicus</i> ). A square mesh panel of at least 120 mm or sorting grid with a maximum bar spacing of 35 mm or equivalent selectivity device shall be fitted. Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table. A square mesh panel of at least 80 mm shall be fitted. Directed fishing for skates and rays.
At least 80 mm	ICES division 4c	Directed fishing for sole using otter trawls. A square mesh panel of at least 80 mm shall be fitted.
F161 ...	F161 ...	F161 ...
At least 40 mm	Whole area	Directed fishing for squid ( <i>Lolignidae</i> , <i>Ommastrephidae</i> ).
F162 ...	F162 ...	F162 ...
At least 32 mm	Whole area F163 ...	Directed fishing for Northern prawn ( <i>Pandalus borealis</i> ). A sorting grid with a maximum bar spacing of 19 mm or equivalent selectivity device shall be fitted.
At least 16 mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table. Directed fishing for Norway pout. A sorting grid with a maximum bar spacing of 35 mm in the Norway pout fishery shall be fitted. Directed fishing for common and Aesop shrimps. A separator trawl or sorting grid

**a** Vessels shall be prohibited from using any beam trawl with a mesh size between 32 and 99 mm north of a line joined by the following points by a point on the East Coast of the United Kingdom at latitude 55° N, then east to latitude 55°, longitude 5° E, then north to latitude 56° N and east to a point on the west coast of Denmark at latitude 56° N. It is prohibited to use any beam trawl of mesh size range 32 to 119 mm within ICES Division 2a and that part of ICES Sub-area 4 to the north of 56° 00' N.

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

		must be fitted in accordance with nationally or regionally established rules.
Less than 16 mm	Whole area	Directed fishing for sandeel.
<p><b>a</b> Vessels shall be prohibited from using any beam trawl with a mesh size between 32 and 99 mm north of a line joined by the following points by a point on the East Coast of the United Kingdom at latitude 55° N, then east to latitude 55°, longitude 5° E, then north to latitude 56° N and east to a point on the west coast of Denmark at latitude 56° N. It is prohibited to use any beam trawl of mesh size range 32 to 119 mm within ICES Division 2a and that part of ICES Sub-area 4 to the north of 56° 00' N.</p>		

#### Textual Amendments

**F161** Words in Annex 5 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(34\)\(b\)\(iii\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)

**F162** Words in Annex 5 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(34\)\(b\)\(iii\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)

**F163** Words in Annex 5 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(34\)\(b\)\(iii\)\(cc\)](#); 2020 c. 1, Sch. 5 para. 1(1)

2. Baseline mesh sizes for static nets and driftnets
  - 2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120 mm.
  - 2.2. Without prejudice to the landing obligation, and notwithstanding point 2.1, vessels may use smaller mesh sizes as listed in the following table for the North Sea <sup>F164</sup>... provided that the associated conditions set out in that table are complied with and by-catches of cod, haddock and saithe do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip.

#### Textual Amendments

**F164** Words in Annex 5 Pt. B point 2.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(34\)\(b\)\(iv\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Mesh Size	Geographical Areas	Conditions
At least 100 mm	Whole area	Directed fishing for haddock, whiting, dab and bass
At least 90 mm	Whole area	Directed fishing for flatfish or species not subject to catch limits and which are not covered elsewhere in the table
At least 50 mm	Whole area	Directed fishing for small pelagic species which are

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not covered elsewhere in the table

## PART C

### Closed or restricted areas

1. Closure of an area to protect sandeel in ICES divisions 4a and 4b
  - 1.1. Fishing for sandeel with any towed gear with a codend mesh size less than 32 mm shall be prohibited within the geographical area bounded by the east coast of England and Scotland, and enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:
    - the east coast of England at latitude 55°30' N
    - 55°30' N, 01°00' W
    - 58°00' N, 01°00' W
    - 58°00' N, 02°00' W
    - the east coast of Scotland at longitude 02°00' W.
  - 1.2. Fisheries for scientific investigation shall be allowed in order to monitor the sandeel stock in the area and the effects of the closure.

F165 2. ....

#### Textual Amendments

**F165** Annex 5 Pt. C point 2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

3. Restrictions on the use of beam trawls within 12 nautical miles of the coast of the United Kingdom
  - 3.1. Vessels shall be prohibited from using any beam trawl inside the areas within 12 nautical miles of the coast of the United Kingdom, measured from the baselines of the territorial waters.
  - 3.2. By way of derogation from point 3.1, fishing with beam trawls within the specified area shall be permitted provided that:
    - The engine power of the vessels does not exceed 221 Kw and their overall length does not exceed 24 m; and
    - The beam length or aggregated beam length, measured as the sum of each beam, is no more than 9 m, or cannot be extended to a length greater than 9 m, except when directed fishing for common shrimp (*Crangon crangon*) with a minimum mesh size of less than 31 mm.
4. Restrictions on fishing for sprat to protect herring in ICES division 4b

Fishing with any towed gear with a codend mesh size of less than 32 mm or static nets less than 30 mm mesh size shall be prohibited within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84, and during the following periods mentioned:

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- from 1 January to 31 March, and from 1 October to 31 December, within ICES statistical area 39E8. For the purpose of this Regulation, that ICES area shall be the area bounded by a line due east from the east coast of the United Kingdom along latitude 55°00' N to a point at longitude 1°00' W, from there due north to a point at latitude 55°30' N and from there due west to the United Kingdom coast;
- from 1 January to 31 March, and from 1 October to 31 December, within the inner waters of the Moray Firth west of longitude 3°30' W, and in the inner waters of the Firth of Forth west of longitude 3°00' W,
- F166 ...

#### Textual Amendments

**F166** Words in Annex 5 Pt. C point 4 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F1675. ....

#### Textual Amendments

**F167** Annex 5 Pt. C point 5 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

6. Use of static nets in ICES [<sup>F168</sup>division 4a]
  - 6.1. In accordance with point (a) of Article 9(7) and by way of derogation from Part B Point 2 of this Annex, it shall be permitted to use the following gear in waters with a charted depth of less than 600 m:
    - Bottom set gillnets used for directed fishing for hake of a mesh size of at least 100 mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25 km per vessel and the maximum soak time is 24 hours;
    - Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250 mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100 km and the maximum soak time is 72 hours.
  - 6.2. Directed fishing for deepwater sharks as listed in Annex I to Regulation (EU) 2016/2336 of the European Parliament and of the Council<sup>(27)</sup> in charted depths of less than 600 m shall be prohibited. When accidentally caught, deepwater sharks classified as prohibited in this Regulation and other <sup>F169</sup>... legislation shall be recorded, unharmed to the extent possible, and shall be promptly released. Deepwater sharks subject to catch limits shall be retained on board. Such catches shall be landed and counted against quotas. <sup>F170</sup>... Where accidental catches of deepwater sharks by [<sup>F171</sup>United Kingdom fishing vessels] exceed 10 tonnes then those vessels may no longer avail of the derogations set out in point 6.1.

#### Textual Amendments

**F169** Word in Annex 5 Pt. C point 6.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(c)(v)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)



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**F170** Words in Annex 5 Pt. C point 6.2 omitted (31.12.2020) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(34)(c)(v)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

**F171** Words in Annex 5 Pt. C point 6.2 substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(34)(c)(v)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

**F168** Words in Annex 5 Pt. C point 6 substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(34)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART D

### The use of electric pulse trawls in ICES divisions 4b and 4c

1. Fishing with electric pulse trawl shall be prohibited in all [<sup>F172</sup>United Kingdom] waters as of 1 July 2021.

#### Textual Amendments

**F172** Words in Annex 5 Pt. D point 1 substituted (31.12.2020) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(34)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

2. During the transitional period ending 30 June 2021, [<sup>F173</sup>a fisheries administration may authorise United Kingdom fishing vessels to fish] with electric pulse trawl in ICES divisions 4b and 4c <sup>F174</sup>... under the conditions set out in this [<sup>F175</sup>Part] and any conditions defined in [<sup>F176</sup>regulations made under Article 24 of this Regulation for the purpose specified in paragraph 4(b) of that Article], regarding the characteristics of the pulse used and control monitoring measures in place [<sup>F177</sup>in United Kingdom waters of the area] south of a rhumb line joined by the following points, which shall be measured according to the WGS84 coordinate system:

- a point on east coast of the United Kingdom at latitude 55° N
- east to latitude 55° N, longitude 5° E
- north to latitude 56° N
- east to a point on the west coast of Denmark at latitude 56° N.

The following conditions shall apply:

- (a) no more than 5 % of [<sup>F178</sup>all the beam trawlers in the United Kingdom fleet] use the electric pulse trawl;
- (b) the maximum electrical power in kW for each beam trawl is no more than the length in metres of the beam multiplied by 1,25;
- (c) the effective voltage between the electrodes is no more than 15 V;

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- (d) the vessel is equipped with an automatic computer management system which records the maximum power used per beam and the effective voltage between electrodes for at least the last 100 tows. It is not possible for non-authorised personnel to modify this automatic computer management system;
- (e) it is prohibited to use one or more tickler chains in front of the footrope.

#### Textual Amendments

**F178** Words in Annex 5 Pt. D point 2(a) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(ff)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

**F173** Words in Annex 5 Pt. D point 2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

**F174** Words in Annex 5 Pt. D point 2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

**F175** Word in Annex 5 Pt. D point 2 inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

**F176** Words in Annex 5 Pt. D point 2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(dd)**; 2020 c. 1, Sch. 5 para. 1(1)

**F177** Words in Annex 5 Pt. D point 2 inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(ii)(ee)**; 2020 c. 1, Sch. 5 para. 1(1)

3. New licences shall not be granted to any vessel during this period.

<sup>F179</sup>4. ....

#### Textual Amendments

**F179** Annex 5 Pt. D point 4 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F180</sup>5. ....

#### Textual Amendments

**F180** Annex 5 Pt. D point 5 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(34)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

## ANNEX VI

### NORTH WESTERN WATERS

#### PART A

#### MINIMUM CONSERVATION REFERENCE SIZES

Species	Whole area
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dypterygia</i> )	70 cm
Norway lobster ( <i>Nephrops norvegicus</i> ) Norway Lobster tails	Total length 85 mm, Carapace length 25 mm <sup>a</sup> 46 mm <sup>b</sup>
Mackerel ( <i>Scomber</i> spp.)	20 cm <sup>f</sup>
Herring ( <i>Clupea harengus</i> )	20 cm <sup>f</sup>
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm <sup>f</sup>
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kg <sup>f</sup>
Bass ( <i>Dicentrarchus labrax</i> )	42 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm <sup>f</sup>
Red sea-bream ( <i>Pagellus bogaraveo</i> )	33 cm
Lobster ( <i>Hommarus gammarus</i> )	87 mm
Spinous spider crab ( <i>Maja squinado</i> )	120 mm
Queen scallop ( <i>Chlamys</i> spp.)	40 mm
Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm
Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm

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Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum</i> .)	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 g
Crawfish ( <i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp ( <i>Parapenaeus longirostris</i> )	22 mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm <sup>cd</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm <sup>e</sup>

**a** In ICES divisions 6a and 7a a minimum conservation reference size of total length of 70 mm and a carapace length of 20 mm shall apply.

**b** In ICES divisions 6a and 7a a minimum conservation reference size of 37 mm shall apply.

**c** In [<sup>F181</sup>United Kingdom] waters in ICES sub-areas, 5, 6 south of 56° N and 7, except ICES divisions 7d, 7e and 7f, a minimum conservation reference size of 130 mm shall apply.

**d** For edible crabs caught in pots or creels, a maximum of 1 % by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75 kg of detached crab claws may be landed.

**e** In ICES division 7a north of 52°30' N, and ICES division 7d, a minimum conservation reference size of 110 mm shall apply.

**f** By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.

### Textual Amendments

**F181** Words in Annex 6 Pt. A table footnote substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

The percentage of sardine, anchovy, herring, horse mackerel or mackerel below the minimum conservation reference size shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.

The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transshipment, landing, transportation, storage, display or sale.

## PART B

### Mesh sizes

1. Baseline mesh sizes for towed gear

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

- 1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120 mm<sup>(28)</sup>, or at least 100 mm in ICES sub-area [F1827d–7j].

#### Textual Amendments

**F182** Words in Annex 6 Pt. B point 1.1 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

- 1.2. Without prejudice to the landing obligation, and notwithstanding point 1.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that:
- (i) the associated conditions set out in that table are complied with, and by-catches of cod, haddock and saithe do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip; or
- (ii) other selectivity modifications are used which have been [F183 authorised by a fisheries administration following scientific assessment and approval]. Those selectivity modifications shall result in the same or better selectivity characteristics for cod, haddock and saithe as that of 120 mm, or 100 mm in ICES sub-area [F1847d]-7k, respectively.

#### Textual Amendments

**F183** Words in Annex 6 Pt. B point 1.2(ii) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

**F184** Word in Annex 6 Pt. B point 1.2(ii) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

Mesh Size	Geographical Areas	Conditions
At least 80 mm <sup>a</sup>	ICES sub-area 7	Directed fishing for hake, megrim and anglerfish, or directed fishing for whiting, mackerel and species not subject to catch limits and which are not covered

**a** This is without prejudice to Article 5 of Commission Regulation (EC) No 494/2002.

**b** At least 70 mm mesh size shall apply for single rig vessels in ICES division 7a.

**c** This is without prejudice to Article 2(5) of Commission Implementing Regulation (EU) No 737/2012.

**d** This provision shall not apply to ICES division 7d.

**e** This provision shall not apply when directed fishing for whiting, mackerel and species not subject to catch limits in ICES divisions 7d and 7e.

**f** Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a, b, d, e ([OJ L 77, 20.3.2002, p. 8](#)).

**g** Commission Implementing Regulation (EU) No 737/2012 of 14 August 2012 on the protection of certain stocks in the Celtic Sea ([OJ L 218, 15.8.2012, p. 8](#)).

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

		elsewhere in the table, using bottom trawls. A square mesh panel of at least 120 mm shall be fitted <sup>ce</sup> Directed fishing for sole and species not covered by catch limits, using otter trawls. A square mesh panel of at least 80 mm shall be fitted <sup>c</sup> .
At least 80 mm	Whole area	Directed fishing for Norway lobster ( <i>Nephrops norvegicus</i> ) <sup>b</sup> . A square mesh panel of at least 120 mm or sorting grid with a maximum bar spacing of 35 mm or equivalent selectivity device shall be fitted.
At least 80 mm	ICES divisions 7a, F185 ... 7d, 7e, 7f, 7g, 7h and 7j	Directed fishing for sole with beam trawls. A panel with a mesh size of at least 180 mm <sup>d</sup> fitted in the upper half of the anterior part of the net shall be fitted.
At least 80 mm	ICES divisions 7d and 7e	Directed fishing for whiting, mackerel and species not subject to catch limits and which are not covered elsewhere in the table, using bottom trawls.
At least 40 mm	Whole area	Directed fishing for squid ( <i>Lolignidae</i> , <i>Ommastrephidae</i> )
At least 16 mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table. Directed fishing for common and Aesop shrimps. A

**a** This is without prejudice to Article 5 of Commission Regulation (EC) No 494/2002.

**b** At least 70 mm mesh size shall apply for single rig vessels in ICES division 7a.

**c** This is without prejudice to Article 2(5) of Commission Implementing Regulation (EU) No 737/2012.

**d** This provision shall not apply to ICES division 7d.

**e** This provision shall not apply when directed fishing for whiting, mackerel and species not subject to catch limits in ICES divisions 7d and 7e.

**f** Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a, b, d, e (OJ L 77, 20.3.2002, p. 8).

**g** Commission Implementing Regulation (EU) No 737/2012 of 14 August 2012 on the protection of certain stocks in the Celtic Sea (OJ L 218, 15.8.2012, p. 8).

*Status: Point in time view as at 31/12/2021.*

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		separator trawl or sorting grid must be fitted in accordance with nationally established rules
Less than 16 mm	Whole area	Directed fishing for sandeel
<b>a</b>	This is without prejudice to Article 5 of Commission Regulation (EC) No 494/2002.	
<b>b</b>	At least 70 mm mesh size shall apply for single rig vessels in ICES division 7a.	
<b>c</b>	This is without prejudice to Article 2(5) of Commission Implementing Regulation (EU) No 737/2012.	
<b>d</b>	This provision shall not apply to ICES division 7d.	
<b>e</b>	This provision shall not apply when directed fishing for whiting, mackerel and species not subject to catch limits in ICES divisions 7d and 7e.	
<b>f</b>	Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a, b, d, e (OJ L 77, 20.3.2002, p. 8).	
<b>g</b>	Commission Implementing Regulation (EU) No 737/2012 of 14 August 2012 on the protection of certain stocks in the Celtic Sea (OJ L 218, 15.8.2012, p. 8).	

### Textual Amendments

**F185** Word in Annex 6 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

2. Baseline mesh sizes for static nets and driftnets
  - 2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120 mm<sup>(29)</sup>.
  - 2.2. Without prejudice to the landing obligation, and notwithstanding point 2.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that the associated conditions set out in that table are complied with, and by-catches of cod, haddock and saithe do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip.

Mesh Size	Geographical Areas	Conditions
At least 100 mm <sup>a</sup>	Whole area	Directed fishing for flatfish or species not subject to catch limits and which are not covered elsewhere in the table Directed fishing for whiting, dab and bass
At least 50 mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table Directed fishing for red mullet

**a** In division 7d, [<sup>F186</sup>with the exception of directed fishing for bass,] at least 90 mm shall apply.

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

### Textual Amendments

**F186** Words in Annex 6 Pt. B point 2 table footnote inserted (31.12.2021) by [The Sea Fisheries \(Amendment etc.\) \(No. 2\) Regulations 2021 \(S.I. 2021/1429\)](#), regs. 1(1), **7(2)**

3. This Part is without prejudice to Commission Delegated Regulation (EU) 2018/2034<sup>(30)</sup>, for the fisheries covered by that Delegated Regulation.

## PART C

### Closed or restricted areas

1. Closed area for the conservation of cod in ICES division 6a

From 1 January to 31 March, and from 1 October to 31 December, each year, it shall be prohibited to conduct any fishing activity using any towed gear or static nets in the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 coordinate system:

- 55°25' N, 7°07' W
- 55°25' N, 7°00' W
- 55°18' N, 6°50' W
- 55°17' N, 6°50' W
- 55°17' N, 6°52' W
- 55°25' N, 7°07' W.

2. Closed area for the conservation of cod in ICES divisions 7f and 7g

- 2.1. From 1 February to 31 March each year, it shall be prohibited to conduct any fishing activity in the following ICES statistical rectangles: 30E4, 31E4 [<sup>F187</sup>and United Kingdom waters of] 32E3. This prohibition shall not apply within 6 nautical miles from the baseline.

### Textual Amendments

**F187** Words in Annex 6 Pt. C point 2.1 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

- 2.2.

It shall be permitted to conduct fishing activities using pots and creels within the specified areas and time periods, provided that:

- (i) no fishing gear other than pots and creels are carried on board; and
- (ii) by-catches of a species subject to the landing obligation are landed and counted against quotas.

- 2.3. Directed fishing for small pelagic species with towed gear with a mesh size less than 55 mm shall be permitted, provided that:

- (i) no net of mesh size greater than or equal to 55 mm is carried on board; and



*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

(ii) by-catches of a species subject to the landing obligation are landed and counted against quotas.

3. Closed area for the conservation of cod in ICES division 7a

3.1.

In the period from 14 February to 30 April each year it shall be prohibited to use any demersal trawl, seine or similar towed net, any gillnet, entangling net or trammel net or any fishing gear incorporating hooks [<sup>F188</sup>in United Kingdom waters] within that part of ICES division 7a enclosed by the east coast of Ireland and the east coast of Northern Ireland and straight lines sequentially joining the following geographical coordinates, which shall be measured according to the WGS84 coordinate system:

- a point on the east coast of the Ards peninsula in Northern Ireland at 54°30' N
- 54°30' N, 04°50' W
- 53°15' N, 04°50' W
- a point on the east coast of Ireland at 53°15' N.

#### Textual Amendments

**F188** Words in Annex 6 Pt. C point 3.1 inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

3.2. By way of derogation from point 1, within the area and time period referred to therein the use of demersal trawls shall be permitted provided such trawls are fitted with selective devices that have been [<sup>F189</sup>approved by a fisheries administration following scientific assessment and approval].

#### Textual Amendments

**F189** Words in Annex 6 Pt. C point 3.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

4. Rockall haddock box in ICES sub-area 6

All fishing, except with longlines, shall be prohibited in [<sup>F190</sup>United Kingdom waters of] the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

#### Textual Amendments

**F190** Words in Annex 6 Pt. C point 4 inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

- 57°00' N, 15°00' W
- 57°00' N, 14°00' W
- 56°30' N, 14°00' W
- 56°30' N, 15°00' W

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

— 57°00' N, 15°00' W.

F1915. ....

#### Textual Amendments

**F191** Annex 6 Pt. C point 5 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(35)(c)(v)**; 2020 c. 1, Sch. 5 para. 1(1)

6. Special rules for the protection of blue ling in ICES division 6a

6.1. From 1 March to 31 May each year directed fishing for blue ling shall be prohibited in the areas of ICES division 6a enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

Edge of Scottish continental shelf

— 59°58' N, 07°00' W  
 — 59°55' N, 06°47' W  
 — 59°51' N, 06°28' W  
 — 59°45' N, 06°38' W  
 — 59°27' N, 06°42' W  
 — 59°22' N, 06°47' W  
 — 59°15' N, 07°15' W  
 — 59°07' N, 07°31' W  
 — 58°52' N, 07°44' W  
 — 58°44' N, 08°11' W  
 — 58°43' N, 08°27' W  
 — 58°28' N, 09°16' W  
 — 58°15' N, 09°32' W  
 — 58°15' N, 09°45' W  
 — 58°30' N, 09°45' W  
 — 59°30' N, 07°00' W  
 — 59°58' N, 07°00' W

Edge of Rosemary bank

— 60°00' N, 11°00' W  
 — 59°00' N, 11°00' W  
 — 59°00' N, 09°00' W  
 — 59°30' N, 09°00' W  
 — 59°30' N, 10°00' W  
 — 60°00' N, 10°00' W  
 — 60°00' N, 11°00' W

Not including the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

— 59°15' N, 10°24' W  
 — 59°10' N, 10°22' W  
 — 59°08' N, 10°07' W

*Status: Point in time view as at 31/12/2021.*

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- 59°11' N, 09°59' W
- 59°15' N, 09°58' W
- 59°22' N, 10°02' W
- 59°23' N, 10°11' W
- 59°20' N, 10°19' W
- 59°15' N, 10°24' W.

6.2. A by-catch of blue ling up to a threshold of 6 tonnes may be retained on board and landed. Once a vessel reaches this six-tonne threshold of blue ling:

- (a) it shall immediately cease fishing and exit the area in which it is present;
- (b) it may not re-enter either of the areas until its catch has been landed;
- (c) it may not return to the sea any quantity of blue ling.

<sup>F192</sup>6.3. ....

**Textual Amendments**

**F192** Annex 6 Pt. C point 6.3 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(vi)**; 2020 c. 1, Sch. 5 para. 1(1)

7. Restrictions on fishing for mackerel in ICES divisions 7e, 7f, 7g and 7h

7.1. Directed fishing for mackerel with towed gear with a codend mesh size of less than 80 mm or with purse seines shall be prohibited, except where the weight of the mackerel does not exceed 15 % by live weight of the total quantities of mackerel and other marine organisms on board which have been caught, [<sup>F193</sup>in United Kingdom waters] within the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- a point on the south coast of the United Kingdom at 02°00' W
- 49° 30' N, 2° 00' W
- 49° 30' N, 7° 00' W
- 52° 00' N, 7° 00' W
- a point on the west coast of the United Kingdom at 52° 00' N.

**Textual Amendments**

**F193** Words in Annex 6 Pt. C point 7.1 inserted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(35)(c)(vii)**; 2020 c. 1, Sch. 5 para. 1(1)

7.2. It shall be permitted to fish within the area defined in point 7.1 with:

- static nets and/or hand lines;
- demersal trawls, Danish seines or other similar towed nets, with a mesh size greater than 80 mm.

7.3. Vessels which are not equipped for fishing and to which mackerel are being transhipped shall be permitted within the area defined in point 7.1.

*Status: Point in time view as at 31/12/2021.*

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8. Restrictions on the use of beam trawls within 12 nautical miles of the coast of the United Kingdom <sup>F194</sup> ...
- 8.1. The use of any beam trawl of mesh size less than 100 mm shall be prohibited in ICES division 5b and ICES sub-area 6 north of latitude 56°N.
- 8.2. Vessels shall be prohibited from using any beam trawl inside the areas within 12 nautical miles of the coasts of the United Kingdom <sup>F195</sup> ..., measured from the baselines from which the territorial waters are measured.

#### Textual Amendments

**F195** Words in Annex 6 Pt. C point 8.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(ix\)](#); 2020 c. 1, Sch. 5 para. 1(1)

- 8.3. Fishing with beam trawls within the specified area shall be permitted provided that:
- The engine power of the vessels does not exceed 221 Kw and their length does not exceed 24 m; and
  - The beam length or aggregated beam length, measured as the sum of each beam, is no more than 9 m, or cannot be extended to a length greater than 9 m, except when directed fishing for common shrimp (*Crangon crangon*) with a codend mesh size of less than 31 mm.

#### Textual Amendments

**F194** Words in Annex 6 Pt. C point 8 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(viii\)](#); 2020 c. 1, Sch. 5 para. 1(1)

9. Use of static nets in ICES divisions 5b, 6a, 6b, <sup>F196</sup> ... 7h [<sup>F197</sup>and 7j]
- 9.1. In accordance with point (a) of Article 9(7) and by way of derogation from Part B, Point 2 of this Annex, it shall be permitted to use the following gear in waters with a charted depth of less than 600 m:
- Bottom set gillnets used for directed fishing for hake with a mesh size of at least 100 mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25 km per vessel and the maximum soak time is 24 hours.
  - Entangling nets used for directed fishing for anglerfish with a mesh size of at least 250 mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100 km and the maximum soak time is 72 hours.
- 9.2. Directed fishing for deepwater sharks as listed in Annex I to Regulation (EU) 2016/2336 in charted depths of less than 600 m shall be prohibited. When accidentally caught, deepwater sharks classified as prohibited in this Regulation and other <sup>F198</sup> ... legislation shall be recorded, unharmed to the extent possible, and shall be promptly released. Deepwater sharks subject to catch limits shall be retained on board. Such catches shall be landed and counted against quotas. <sup>F199</sup> ... Where accidental catches of deepwater sharks by [<sup>F200</sup>United Kingdom fishing vessels] exceed 10 tonnes then those vessels may no longer avail of the derogations set out in point 9.1.

**Status:** Point in time view as at 31/12/2021.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)

#### Textual Amendments

- F198** Word in Annex 6 Pt. C point 9.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(xi\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F199** Words in Annex 6 Pt. C point 9.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(xi\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F200** Words in Annex 6 Pt. C point 9.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(xi\)\(cc\)](#); 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

- F196** Words in Annex 6 Pt. C point 9 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(x\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F197** Words in Annex 6 Pt. C point 9 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(35\)\(c\)\(x\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)

## ANNEX VII

### SOUTH WESTERN WATERS

#### PART A

#### Minimum conservation reference sizes

Species	Whole area
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dypterygia</i> )	70 cm

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Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 70 mm, Carapace length 20 mm
Norway Lobster tails	37 mm
Mackerel ( <i>Scomber</i> spp.)	20 cm <sup>f</sup>
Herring ( <i>Clupea harengus</i> )	20 cm <sup>f</sup>
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm F201 ...fg
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kg F201 ...f
Bass ( <i>Dicentrarchus labrax</i> )	36 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm <sup>f</sup>
Red sea-bream ( <i>Pagellus bogaraveo</i> )	33 cm
Lobster ( <i>Hommarus gammarus</i> )	87 mm
Spinous spider crab ( <i>Maja squinado</i> )	120 mm
Queen scallop ( <i>Chlamys</i> spp.)	40 mm
Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm
Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm
Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum</i> .)	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 g F201 ...
Crawfish ( <i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp ( <i>Parapenaeus longirostris</i> )	22 mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm <sup>de</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm

*Status: Point in time view as at 31/12/2021.*

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- a** <sup>F201</sup> ...
- b** <sup>F201</sup> ...
- c** <sup>F201</sup> ...
- d** In [<sup>F202</sup>United Kingdom] waters in ICES [<sup>F203</sup>sub-area 8] a minimum conservation reference size of 130 mm shall apply.
- e** For edible crabs caught in pots or creels, a maximum of 1 % by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75 kg of detached crab claws may be landed.
- f** By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.  
The percentage of sardine, anchovy, herring, horse mackerel or mackerel below the minimum conservation reference size shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.  
The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transshipment, landing, transportation, storage, display or sale.
- g** No more than 5 % may consist of horse mackerel between 12 and 15 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the catches shall be 1,20. These provisions shall not apply for catches subject to the landing obligation.

#### Textual Amendments

- F201** Annex 7 Pt. A table footnotes omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(36)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F202** Words in Annex 7 Pt. A table footnote substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(36)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F203** Words in Annex 7 Pt. A table footnote substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(36)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART B

### Mesh sizes

1. Baseline mesh sizes for towed gear
  - 1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 70 mm<sup>(31)MIF204</sup> ...

#### Textual Amendments

- F204** Words in Annex 7 Pt. B point 1.1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/1312), regs. 1(3), **5(36)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Marginal Citations

- M1** For directed fishing for Norway lobster (*Nephrops norvegicus*), a square mesh panel of at least 100 mm or equivalent selectivity device shall be fitted when fishing in ICES [division 8d]. For directed fishing for sole with beam trawls, a panel with a mesh size of at least 180 mm fitted in the upper half of the anterior part of the net shall be fitted. [Editorial note: Words in Annex 7 Pt. B point 1.1 footnote substituted (31.12.2020) by virtue of [The Common Fisheries](#)

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(3), **5(36)(b)(iii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)]

- 1.2. Without prejudice to the landing obligation and notwithstanding point 2.1, vessels may use smaller mesh sizes as listed in the following table for South Western waters provided that:
- (i) the associated conditions set out in that table are complied with, and by-catches of hake do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip; or
  - (ii) other selectivity modifications are used which have been [<sup>F205</sup>approved by a fisheries administration following scientific assessment and approval]. Those selectivity modifications shall result in the same or better selectivity characteristics for hake as that of 70 mm <sup>F206</sup> ....

#### Textual Amendments

**F205** Words in Annex 7 Pt. B point 1.2(ii) substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\), regs. 1\(3\), \*\*5\(36\)\(b\)\(ii\)\(aa\)\*\*](#); 2020 c. 1, Sch. 5 para. 1(1)

**F206** Words in Annex 7 Pt. B point 1.2(ii) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\), regs. 1\(3\), \*\*5\(36\)\(b\)\(ii\)\(bb\)\*\*](#); 2020 c. 1, Sch. 5 para. 1(1)

Mesh Size	Geographical Areas	Conditions
At least 55mm	Whole area <sup>F207</sup> ...	Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table Directed fishing for red sea bream Directed fishing for mackerel, horse mackerel and blue whiting with bottom trawls
At least 35mm	Whole area	Directed fishing for wedge sole
<sup>F208</sup> ...	<sup>F208</sup> ...	<sup>F208</sup> ...
At least 16 mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table Directed fishing for shrimps ( <i>Palaemon serratus</i> , <i>Crangon crangon</i> ), and crab ( <i>Polybius henslowi</i> )
Less than 16 mm	Whole area	Directed fishing for sandeel



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**Textual Amendments**

- F207** Words in Annex 7 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(b)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F208** Words in Annex 7 Pt. B point 1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(b)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

2. Baseline mesh sizes for static nets and driftnets
- 2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 100 mm<sup>(32)F209</sup> ...

**Textual Amendments**

- F209** Words in Annex 7 Pt. B point 2.1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

- 2.2. Without prejudice to the landing obligation, and notwithstanding point 2.1, vessels may use smaller mesh sizes as listed in the following table for the South Western waters provided that the associated conditions set out in that table are complied with, and by-catches of hake do not exceed 20 % of the total catch in live weight of all marine biological resources landed after each fishing trip.

Mesh Size	Geographical Areas	Conditions
At least 80 mm	Whole area F210 ...	Directed fishing for sea bass, whiting, turbot, flounder and pollack
At least 60 mm	Whole area	Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table
At least 50 mm	Whole area	Directed fishing for small pelagic species <sup>a</sup> which are not covered elsewhere in the table
At least 40 mm	Whole area	Directed fishing for red mullet, shrimps ( <i>Penaeus</i> spp.), mantis shrimp, wedge sole and wrasse

<sup>a</sup> A mesh size of less than 40 mm may be used for sardines.

*Status: Point in time view as at 31/12/2021.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/1241 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)*

#### Textual Amendments

**F210** Words in Annex 7 Pt. B point 2 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(b)(v)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART C

### Closed or restricted areas

F211 1. ....

#### Textual Amendments

**F211** Annex 7 Pt. C point 1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F212 2. ....

#### Textual Amendments

**F212** Annex 7 Pt. C point 2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F213 3. ....

#### Textual Amendments

**F213** Annex 7 Pt. C point 3 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

4. Use of static nets in [F214 United Kingdom waters of ICES division 8d]
- 4.1. In accordance with point (a) of Article 9(7) and by way of derogation from Part B, Point 2 of this Annex, it shall be permitted to use the following gear in waters with a charted depth of less than 600 m:
- Bottom set gillnets used for directed fishing for hake of a mesh size of at least [F215 100mm in United Kingdom waters of ICES division 8d] and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25 km per vessel and the maximum soak time is 24 hours.
  - Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250 mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100 km and the maximum soak time is 72 hours.
  - F216 ...

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**Textual Amendments**

- F215** Words in Annex 7 Pt. C point 4.1 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F216** Words in Annex 7 Pt. C point 4.1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

4.2. Directed fishing for deepwater sharks as listed in Annex I to Regulation (EU) 2016/2336 in charted depths of less than 600 m shall be prohibited. When accidentally caught, deepwater sharks classified as prohibited in this Regulation and other <sup>F217</sup>... legislation shall be recorded, unharmed to the extent possible, and shall be promptly released. Deepwater sharks subject to catch limits shall be retained on board. Such catches shall be landed and counted against quotas. <sup>F218</sup>... Where accidental catches of deepwater sharks by [<sup>F219</sup>United Kingdom fishing vessels] exceed 10 tonnes then those vessels may no longer avail of the derogations set out in point 4.1.

**Textual Amendments**

- F217** Word in Annex 7 Pt. C point 4.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(iv)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F218** Words in Annex 7 Pt. C point 4.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(iv)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F219** Words in Annex 7 Pt. C point 4.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(iv)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F220</sup>4.3. ....

**Textual Amendments**

- F220** Annex 7 Pt. C point 4.3 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(v)**; 2020 c. 1, Sch. 5 para. 1(1)

**Textual Amendments**

- F214** Words in Annex 7 Pt. C point 4 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(36)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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### Textual Amendments

**F221** Annexes 8-11 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(37)**; 2020 c. 1, Sch. 5 para. 1(1)

**F221** ANNEX IX

.....

**F221** ANNEX X

.....

**F221** ANNEX XI

.....

ANNEX XII

## NEAFC REGULATORY AREA

### PART A

#### Minimum conservation reference sizes

Species	NEAFC
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dipterygia</i> )	70 cm
Mackerel ( <i>Scomber</i> spp.)	30 cm
Herring ( <i>Clupea harengus</i> )	20 cm

### PART B

#### Mesh sizes

1. Baseline mesh sizes for towed gear

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The following codend mesh sizes shall apply in the NEAFC Regulatory Area.

Codend Mesh Size	Geographical Areas	Conditions
At least 100 mm	Whole area	None
At least 35 mm	Whole area	Directed fishing for blue whiting
At least 32 mm	ICES sub-areas 1 and 2	Directed fishing for Northern prawn ( <i>Pandalus borealis</i> ). A sorting grid with a maximum bar spacing of 22 shall be fitted
At least 16 mm	Whole area	Directed fishing for mackerel, capelin and argentinines

2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the NEAFC Regulatory Area.

Mesh Size	Geographical Areas	Conditions
At least 220 mm	Whole area	None

PART C

**Closed or restricted areas**

1. Measures for the redfish fishery in the Irminger Sea and adjacent waters

1.1. It shall be prohibited to catch redfish in international waters of ICES sub-area 5<sup>F222</sup>....

By way of derogation from the first subparagraph, it shall be permitted to catch redfish from 11 May to 31 December in the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system (the ‘Redfish Conservation Area’):

- 64°45' N, 28°30' W
- 62°50' N, 25°45' W
- 61°55' N, 26°45' W
- 61°00' N, 26°30' W
- 59°00' N, 30°00' W
- 59°00' N, 34°00' W
- 61°30' N, 34°00' W
- 62°50' N, 36°00' W
- 64°45' N, 28°30' W.

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### Textual Amendments

**F222** Words in Annex 12 Pt. C point 1.1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

- 1.2. Notwithstanding point 1.1, a fishery for redfish may be permitted, by [<sup>F223</sup>regulations made by a fisheries administration], outside the Redfish Conservation Area in the Irminger Sea and adjacent waters from 11 May to 31 December each year on the basis of scientific advice and provided that NEAFC has established a recovery plan in respect of redfish in that geographical area. Only [<sup>F224</sup>United Kingdom vessels] that have been duly authorised by [<sup>F225</sup>a fisheries administration] and notified <sup>F226</sup>... as required under Article 5 of Regulation (EU) No 1236/2010 shall participate in this fishery.

### Textual Amendments

**F223** Words in Annex 12 Pt. C point 1.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

**F224** Words in Annex 12 Pt. C point 1.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

**F225** Words in Annex 12 Pt. C point 1.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(a)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

**F226** Words in Annex 12 Pt. C point 1.2 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(a)(ii)(dd)**; 2020 c. 1, Sch. 5 para. 1(1)

- 1.3. It shall be prohibited to use trawls with a mesh size of less than 100 mm.
- 1.4. The conversion factor to be applied to the gutted and headed presentation, including the Japanese cut presentation, of redfish caught in this fishery shall be 1,70.
- 1.5. Masters of fishing vessels engaged in the fishery outside the Redfish Conservation Area shall transmit the catch report provided for in point (b) of Article 9(1) of Regulation (EU) No 1236/2010 on a daily basis after the fishing operations of that calendar day have been completed. It shall indicate the catches on board taken since the last communication of catches.
- 1.6. In addition to Article 5 of Regulation (EU) No 1236/2010, an authorisation to fish for redfish shall only be valid if the reports transmitted by vessels are in accordance with Article 9(1) of that Regulation and are recorded in accordance with Article 9(3) thereof.
- 1.7. The reports referred to in point 1.6 shall be made in accordance with the relevant rules.
2. Special rules for the protection of blue ling
- 2.1. From 1 March to 31 May each year it shall be prohibited to retain on board any quantity of blue ling in excess of 6 tonnes per fishing trip in the areas of ICES division 6a

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enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

(a) Edge of Scottish continental shelf

- 59°58' N, 07°00' W
- 59°55' N, 06°47' W
- 59°51' N, 06°28' W
- 59°45' N, 06°38' W
- 59°27' N, 06°42' W
- 59°22' N, 06°47' W
- 59°15' N, 07°15' W
- 59°07' N, 07°31' W
- 58°52' N, 07°44' W
- 58°44' N, 08°11' W
- 58°43' N, 08°27' W
- 58°28' N, 09°16' W
- 58°15' N, 09°32' W
- 58°15' N, 09°45' W
- 58°30' N, 09°45' W
- 59°30' N, 07°00' W
- 59°58' N, 07°00' W;

(b) Edge of Rosemary bank

- 60°00' N, 11°00' W
- 59°00' N, 11°00' W
- 59°00' N, 09°00' W
- 59°30' N, 09°00' W
- 59°30' N, 10°00' W
- 60°00' N, 10°00' W
- 60°00' N, 11°00' W

Not including the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- 59°15' N, 10°24' W
- 59°10' N, 10°22' W
- 59°08' N, 10°07' W
- 59°11' N, 09°59' W
- 59°15' N, 09°58' W
- 59°22' N, 10°02' W
- 59°23' N, 10°11' W
- 59°20' N, 10°19' W
- 59°15' N, 10°24' W.

2.2. Where blue ling is subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013, point 2.1 shall not apply.

Fishing for blue ling using any fishing gear within the period and areas referred to in point 2.1 shall be prohibited.

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- 2.3. When entering and exiting the areas referred to in point 2.1, the master of a fishing vessel shall record the date, time and place of entry and exit in the logbook.
- 2.4. In either of the two areas referred to in point 2.1, if a vessel reaches the 6 tonnes of blue ling:
- (a) it shall immediately cease fishing and exit the area in which it is present;
  - (b) it may not re-enter either of the areas until its catch has been landed;
  - (c) it may not return to the sea any quantity of blue ling.
- 2.5. The observers referred to in Article 16 of Regulation (EU) 2016/2336 who are assigned to fishing vessels present in one of the areas referred to in point 1 shall, for appropriate samples of the catches of blue ling, measure the fish in the samples and determine the stage of sexual maturity of subsampled fish. On the basis of [<sup>F227</sup>scientific advice, a fisheries administration must] establish detailed protocols for sampling and for the collation of results.

#### Textual Amendments

**F227** Words in Annex 12 Pt. C point 2.5 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), 5(38)(a)(iii); 2020 c. 1, Sch. 5 para. 1(1)

- 2.6. From 15 February to 15 April each year, it shall be prohibited to use bottom trawls, longlines and gillnets within an area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:
- 60°58.76' N, 27°27.32' W
  - 60°56.02' N, 27°31.16' W
  - 60°59.76' N, 27°43.48' W
  - 61°03.00' N, 27°39.41' W
  - 60°58.76' N, 27°27.32' W.
3. Measures for the redfish fishery in international waters of ICES sub-areas 1 and 2
- 3.1. Directed fishing for redfish in the international waters of ICES sub-areas 1 and 2 shall only be permitted within the period from 1 July to 31 December each year by vessels which have previously been engaged in the redfish fishery in the NEAFC Regulatory Area.
  - 3.2. Vessels shall limit their by-catches of redfish in other fisheries to a maximum of 1 % of the total catch retained on board.
  - 3.3. The conversion factor to be applied to the gutted and headed presentation, including the Japanese cut presentation, of redfish caught in this fishery shall be 1,70.
  - 3.4. By way of derogation from point (b) of Article 9(1) of Regulation (EU) No 1236/2010, masters of fishing vessels engaged in this fishery shall report their catches on a daily basis.
  - 3.5. In addition to Article 5 of Regulation (EU) No 1236/2010, an authorisation to fish for redfish shall only be valid if the reports transmitted by vessels are in accordance



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with Article 9(1) of that Regulation and are recorded in accordance with Article 9(3) thereof.

- 3.6. [<sup>F228</sup>A fisheries administration must] ensure that scientific information is collected by scientific observers on board vessels [<sup>F229</sup>within its fleet]. As a minimum, the information collected shall include representative data on sex, age and length composition by depths. This information shall be reported to ICES <sup>F230</sup>....

#### Textual Amendments

- F228** Words in Annex 12 Pt. C point 3.6 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(38\)\(a\)\(iv\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F229** Words in Annex 12 Pt. C point 3.6 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(38\)\(a\)\(iv\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F230** Words in Annex 12 Pt. C point 3.6 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(38\)\(a\)\(iv\)\(cc\)](#); 2020 c. 1, Sch. 5 para. 1(1)

- 3.7. [<sup>F231</sup>A fisheries administration must prohibit directed fishery for redfish in the waters referred to in point 3.1 from the date that it is notified by the NEAFC Secretariat that the total allowable catch has been fully utilised.]

#### Textual Amendments

- F231** Annex 12 Pt. C point 3.7 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), [5\(38\)\(a\)\(v\)](#); 2020 c. 1, Sch. 5 para. 1(1)

4. Rockall haddock box in ICES sub-area 6

All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- 57°00' N, 15°00' W
- 57°00' N, 14°00' W
- 56°30' N, 14°00' W
- 56°30' N, 15°00' W
- 57°00' N, 15°00' W.

## PART D

### Closed areas for the protection of sensitive habitats

1. It shall be prohibited to conduct bottom trawling and fishing with static gear, including bottom set gillnets and bottom set longlines, within the following areas sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

Part of the Reykjanes Ridge:

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- 55°04.5327' N, 36°49.0135' W
- 55°05.4804' N, 35°58.9784' W
- 54°58.9914' N, 34°41.3634' W
- 54°41.1841' N, 34°00.0514' W
- 54°00' N, 34°00' W
- 53°54.6406' N, 34°49.9842' W
- 53°58.9668' N, 36°39.1260' W
- 55°04.5327' N, 36°49.0135' W

Northern MAR Area:

- 59°45' N, 33°30' W
- 57°30' N, 27°30' W
- 56°45' N, 28°30' W
- 59°15' N, 34°30' W
- 59°45' N, 33°30' W

Middle MAR Area (Charlie-Gibbs Fracture zone and Subpolar Frontal Region):

- 53°30' N, 38°00' W
- 53°30' N, 36°49' W
- 55°04.5327' N, 36°49' W
- 54°58.9914' N, 34°41.3634' W
- 54°41.1841' N, 34°00' W
- 53°30' N, 30°00' W
- 51°30' N, 28°00' W
- 49°00' N, 26°30' W
- 49°00' N, 30°30' W
- 51°30' N, 32°00' W
- 51°30' N, 38°00' W
- 53°30' N, 38°00' W

Southern MAR Area:

- 44°30' N, 30°30' W
- 44°30' N, 27°00' W
- 43°15' N, 27°15' W
- 43°15' N, 31°00' W
- 44°30' N, 30°30' W

The Altair Seamounts:

- 45°00' N, 34°35' W
- 45°00' N, 33°45' W
- 44°25' N, 33°45' W
- 44°25' N, 34°35' W
- 45°00' N, 34°35' W

The Antialtair Seamounts:

- 43°45' N, 22°50' W
- 43°45' N, 22°05' W
- 43°25' N, 22°05' W

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— 43°25' N, 22°50' W

— 43°45' N, 22°50' W

**Hatton Bank:**

— 59°26' N, 14°30' W

— 59°12' N, 15°08' W

— 59°01' N, 17°00' W

— 58°50' N, 17°38' W

— 58°30' N, 17°52' W

— 58°30' N, 18°22' W

— 58°03' N, 18°22' W

— 58°03' N, 17°30' W

— 57°55' N, 17°30' W

— 57°45' N, 19°15' W

— 58°11.15' N, 18°57.51' W

— 58°11.57' N, 19°11.97' W

— 58°27.75' N, 19°11.65' W

— 58°39.09' N, 19°14.28' W

— 58°38.11' N, 19°01.29' W

— 58°53.14' N, 18°43.54' W

— 59°00.29' N, 18°01.31' W

— 59°08.01' N, 17°49.31' W

— 59°08.75' N, 18°01.47' W

— 59°15.16' N, 18°01.56' W

— 59°24.17' N, 17°31.22' W

— 59°21.77' N, 17°15.36' W

— 59°26.91' N, 17°01.66' W

— 59°42.69' N, 16°45.96' W

— 59°20.97' N, 15°44.75' W

— 59°21' N, 15°40' W

— 59°26' N, 14°30' W

**North-West Rockall:**

— 57°00' N, 14°53' W

— 57°37' N, 14°42' W

— 57°55' N, 14°24' W

— 58°15' N, 13°50' W

— 57°57' N, 13°09' W

— 57°50' N, 13°14' W

— 57°57' N, 13°45' W

— 57°49' N, 14°06' W

— 57°29' N, 14°19' W

— 57°22' N, 14°19' W

— 57°00' N, 14°34' W

— 56°56' N, 14°36' W

— 56°56' N, 14°51' W

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— 57°00' N, 14°53' W

South-West Rockall (Empress of Britain Bank):

Area 1

— 56°24' N, 15°37' W  
— 56°21' N, 14°58' W  
— 56°04' N, 15°10' W  
— 55°51' N, 15°37' W  
— 56°10' N, 15°52' W  
— 56°24' N, 15°37' W

Area 2

— 55°56.90 N -16°11.30 W  
— 55°58.20 N -16°11.30 W  
— 55°58.30 N -16°02.80 W  
— 55°56.90 N -16°02.80 W  
— 55°56.90 N -16°11.30 W

Area 3

— 55°49.90 N -15°56.00 W  
— 55°48.50 N -15°56.00 W  
— 55°48.30 N -15°50.60 W  
— 55°49.60 N -15°50.60 W  
— 55°49.90 N -15°56.00 W

Edora's bank

— 56°26.00 N -22°26.00 W  
— 56°28.00 N -22°04.00 W  
— 56°16.00 N -21°42.00 W  
— 56°05.00 N -21°40.00 W  
— 55°55.00 N -21°47.00 W  
— 55°45.00 N -22°00.00 W  
— 55°43.00 N -23°14.00 W  
— 55°50.00 N -23°16.00 W  
— 56°05.00 N -23°06.00 W  
— 56°18.00 N -22°43.00 W  
— 56°26.00 N -22°26.00 W

Southwest Rockall Bank

Area 1

— 55°58.16 N -16°13.18 W  
— 55°58.24 N -16°02.56 W  
— 55°54.86 N -16°05.55 W  
— 55°58.16 N -16°13.18 W

Area 2

— 55°55.86 N -15°40.84 W  
— 55°51.00 N -15°37.00 W

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- 55°47.86 N -15°53.81 W
- 55°49.29 N -15°56.39 W
- 55°55.86 N -15°40.84 W

#### Hatton-Rockall Basin

##### Area 1

- 58°00.15 N -15°27.23 W
- 58°00.15 N -15°38.26 W
- 57°54.19 N -15°38.26 W
- 57°54.19 N -15°27.23 W
- 58°00.15 N -15°27.23 W

##### Area 2

- 58°06.46 N -16°37.15 W
- 58°15.93 N -16°28.46 W
- 58°06.77 N -16°10.40 W
- 58°03.43 N -16° 10.43 W
- 58°01.49 N -16°25.19 W
- 58°02.62 N -16°36.96 W
- 58°06.46 N -16°37.15 W

#### Hatton Bank 2

##### Area 1

- 57°51.76 N -18°05.87 W
- 57°55.00 N -17°30.00 W
- 58°03.00 N -17°30.00 W
- 57°53.10 N -16°56.33 W
- 57°35.11 N -18°02.01 W
- 57°51.76 N -18°05.87 W

##### Area 2

- 57°59.96 N -19°05.05 W
- 57°45.00 N -19°15.00 W
- 57°50.07 N -18°23.82 W
- 57°31.13 N -18°21.28 W
- 57°14.09 N -19°28.43 W
- 57°02.21 N -19°27.53 W
- 56°53.12 N -19°28.97 W
- 56°50.22 N -19°33.62 W
- 56°46.68 N -19°53.72 W
- 57°00.04 N -20°04.22 W
- 57°10.31 N -19°55.24 W
- 57°32.67 N -19°52.64 W
- 57°46.68 N -19°37.86 W
- 57°59.96 N -19°05.05 W

#### Logachev Mound:

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- 55°17' N, 16°10' W
- 55°34' N, 15°07' W
- 55°50' N, 15°15' W
- 55°33' N, 16°16' W
- 55°17' N, 16°10' W

West Rockall Mound:

- 57°20' N, 16°30' W
- 57°05' N, 15°58' W
- 56°21' N, 17°17' W
- 56°40' N, 17°50' W
- 57°20' N, 16°30' W

2. Where, in the course of fishing operations in new and existing bottom fishing areas within the NEAFC Regulatory Area, the quantity of live coral or live sponge caught per gear set exceeds 60 kg of live coral and/or 800 kg of live sponge, the vessel shall inform [<sup>F232</sup>a fisheries administration], cease fishing and move at least 2 nautical miles away from the position that the evidence suggests is closest to the exact location where this catch was made.

#### Textual Amendments

**F232** Words in Annex 12 Pt. D point 2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(38)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

## ANNEX XIII

### MITIGATION MEASURES TO REDUCE INCIDENTAL CATCHES OF SENSITIVE SPECIES

The following measures to monitor and reduce incidental catches of sensitive species shall apply:

1. The measures set out in Parts A, B and C.
2. [<sup>F233</sup>A fisheries administration must] take the necessary steps to collect scientific data on incidental catches of sensitive species.
3. [<sup>F234</sup>As a result of scientific evidence, validated by ICES or a similar independent scientific body recognised at international level, of negative impacts of fishing gear on sensitive species, a fisheries administration may, by regulations made under Article 15, provide for additional mitigation measures for the reduction of incidental catches of the concerned species or in a concerned area.]
4. [<sup>F235</sup>A fisheries administration must] monitor and assess the effectiveness of the mitigation measures established under this Annex.

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### Textual Amendments

- F233** Words in Annex 13 point 2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F234** Annex 13 point 3 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F235** Words in Annex 13 point 4 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART A

### Cetaceans

1. Fisheries in which the use of acoustic deterrent devices is mandatory
  - 1.1. It shall be prohibited for vessels with an overall length of 12 m or more to use the fishing gear in specific areas as defined below without the simultaneous use of active acoustic deterrent devices.

Area	Gear
F236	F236
...	...
F236	F236
...	...
ICES sub-area 4 F237	Any bottom-set gill net or entangling net, or combination of these nets, the total length of which does not exceed 400 m
...	Any bottom-set gillnet or entangling net ≥ 220 mm
ICES divisions 7e, 7f, 7g, 7h and 7j	Any bottom-set gillnet or entangling net
ICES division 7d	Any bottom-set gillnet or entangling net

### Textual Amendments

- F236** Words in Annex 13 Pt. A point 1.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F237** Words in Annex 13 Pt. A point 1.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

- 1.2. Point 1.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the [<sup>F238</sup>fisheries administration] concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

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#### Textual Amendments

**F238** Words in Annex 13 Pt. A point 1.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

- 1.3. [<sup>F239</sup>A fisheries administration must] take necessary steps to monitor and assess by means of scientific studies or pilot projects, the effects of acoustic deterrent device use over time in the fisheries and areas concerned.

#### Textual Amendments

**F239** Words in Annex 13 Pt. A point 1.3 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

2. Fisheries to be monitored
- 2.1. Monitoring schemes shall be undertaken on an annual basis and established for vessels <sup>F240</sup>... with an overall length of 15 m or more to monitor cetacean by-catch, for the fisheries and under the conditions defined below.

Area	Gear
ICES sub-areas 6, 7 and 8	Pelagic trawls (single and pair)
F241	F241
...	...
ICES divisions 6a, 7a, F242	Bottom-set gillnet or entangling nets using mesh sizes equal to or greater than 80 mm
...	
ICES sub area 4, ICES division 6a, and ICES sub-area 7 F243	Driftnets
...	
[ <sup>F244</sup> ICES sub-area 4]	Pelagic trawls (single and pair)
ICES sub-areas 6, 7, 8 F245	High-opening trawls
...	
F246	F246
...	...

#### Textual Amendments

**F241** Words in Annex 13 Pt. A point 2.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)



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- F242** Words in Annex 13 Pt. A point 2.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F243** Words in Annex 13 Pt. A point 2.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)
- F244** Words in Annex 13 Pt. A point 2.1 table substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(dd)**; 2020 c. 1, Sch. 5 para. 1(1)
- F245** Words in Annex 13 Pt. A point 2.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(ee)**; 2020 c. 1, Sch. 5 para. 1(1)
- F246** Words in Annex 13 Pt. A point 2.1 table omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(v)(ff)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

- F240** Words in Annex 13 Pt. A point 2.1 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

- 2.2. Point 2.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the [<sup>F247</sup>fisheries administration] concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

#### Textual Amendments

- F247** Words in Annex 13 Pt. A point 2.2 substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(d)(vi)**; 2020 c. 1, Sch. 5 para. 1(1)

## PART B

### Seabirds

Where the data referred to in point 2 of the introductory paragraph of this Annex indicate a level of incidental catches of seabirds in specific fisheries which constitutes a serious threat to the conservation status of those seabirds, [<sup>F248</sup>a fisheries administration must require the use of] bird scaring lines and/or weighted lines, if it is scientifically proven that such use has a conservation benefit in that area, and where practical and beneficial shall set longlines during the hours of darkness with the minimum of deck lighting necessary for safety.

#### Textual Amendments

- F248** Words in Annex 13 Pt. B substituted (31.12.2020) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

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<sup>F249</sup>PART C

**Marine turtles**

1. ....

**Textual Amendments**

**F249** Annex 13 Pt. C omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(39)(f)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F250</sup>ANNEX XIV

.....

**Textual Amendments**

**F250** Annex 14 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(3), **5(40)**; 2020 c. 1, Sch. 5 para. 1(1)

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- (1) [OJ C 389, 21.10.2016, p. 67.](#)
- (2) [OJ C 185, 9.6.2017, p. 82.](#)
- (3) Position of the European Parliament of 16 April 2019 (not yet published in the Official Journal) and decision of the Council of 13 June 2019.
- (4) Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([OJ L 354, 28.12.2013, p. 22.](#))
- (5) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) ([OJ L 164, 25.6.2008, p. 19.](#))
- (6) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([OJ L 206, 22.7.1992, p. 7.](#))
- (7) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds ([OJ L 20, 26.1.2010, p. 7.](#))
- (8) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ([OJ L 327, 22.12.2000, p. 1.](#))
- (9) [OJ L 123, 12.5.2016, p. 1.](#)
- (10) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13.](#))
- (11) Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources ([OJ L 132, 23.5.1997, p. 1.](#))
- (12) Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ([OJ L 125, 27.4.1998, p. 1.](#))
- (13) Council Regulation (EC) No 2549/2000 of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) ([OJ L 292, 21.11.2000, p. 5.](#))
- (14) Council Regulation (EC) No 254/2002 of 12 February 2002 establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (ICES division VIIa) ([OJ L 41, 13.2.2002, p. 1.](#))
- (15) Council Regulation (EC) No 812/2004 of 26 April 2004 laying down measures concerning bycatches of cetaceans in fisheries and amending Regulation (EC) No 88/98 ([OJ L 150, 30.4.2004, p. 12.](#))
- (16) 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, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 ([OJ L 349, 31.12.2005, p. 1.](#))
- (17) Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ([OJ L 409, 30.12.2006, p. 11.](#))
- (18) Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ([OJ L 343, 22.12.2009, p. 1.](#))
- (19) Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 ([OJ L 191, 15.7.2016, p. 1.](#))

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- (20) 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 (OJ L 179, 16.7.2018, p. 1).
- (21) Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008 (OJ L 83, 25.3.2019, p. 1).
- (22) Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1).
- (23) Regulation (EU) No 1236/2010 of the European Parliament and of the Council of 15 December 2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries and repealing Council Regulation (EC) No 2791/1999 (OJ L 348, 31.12.2010, p. 17).
- (24) Council Regulation (EC) No 734/2008 of 15 July 2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears (OJ L 201, 30.7.2008, p. 8).
- (25) Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).
- (26) For the purposes of this Annex:
- the Kattegat is limited in the north by a line drawn from Skagen Lighthouse to the lighthouse in Tistlarna, and from there to the nearest point on the Swedish coast, and in the south by a line drawn from Hasenøre Head to Gniben Point, from Korshage to Spodsbjerg, and from Gilbjerg Head to the Kullen,
  - the Skagerrak is limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes, and in the south by a line drawn from Skagen Lighthouse to the lighthouse of Tistlarna, and from there to the nearest point on the Swedish coast,
  - the North Sea shall comprise ICES sub-area 4, the adjacent part of ICES Division 2a lying south of latitude 64° N, and that part of ICES Division 3a which is not covered by the definition of Skagerrak given in the second indent.
- (27) Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016 establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic and repealing Council Regulation (EC) No 2347/2002 (OJ L 354, 23.12.2016, p. 1).
- (28) To be phased-in over a two-year period from the date of entry into force of this Regulation.
- (29) A mesh size of at least 220 mm shall be used when fishing for anglerfish. A mesh size of at least 110 mm shall be used when directed fishing for pollack and hake in ICES divisions 7d and 7e.
- (30) Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018 establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021 (OJ L 327, 21.12.2018, p. 8).
- (31) This provision is without prejudice to Article 2 of Regulation (EC) No 494/2002.
- (32) For directed fishing for anglerfish a mesh size of at least 220 mm shall be used.

**Status:**

Point in time view as at 31/12/2021.

**Changes to legislation:**

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