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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
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 ^f
Herring (<i>Clupea harengus</i>)	20 cm ^f
Horse mackerel (<i>Trachurus</i> spp.)	15 cm ^{afg}
Anchovy (<i>Engraulis encrasicolus</i>)	12 cm or 90 individuals per kg ^{bf}
Bass (<i>Dicentrarchus labrax</i>)	36 cm
Sardine (<i>Sardina pilchardus</i>)	11 cm ^f
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

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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 ^c
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 ^{de}
Scallop (<i>Pecten maximus</i>)	100 mm
a	No minimum conservation reference size shall apply to horse mackerel (<i>Trachurus pictaratus</i>) caught in waters adjacent to the Azores islands and under the sovereignty or jurisdiction of Portugal.
b	In ICES sub-area 9 and CECAF area 34.1.2 a minimum conservation reference size of 9 cm shall apply.
c	In all waters in that part of the eastern central Atlantic comprising divisions 34.1.1, 34.1.2 and 34.1.3 and sub-area 34.2.0 of fishing zone 34 of the CECAF region, a gutted weight of 450 g shall apply.
d	In Union waters in ICES sub-areas 8 and 9 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.

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⁽¹⁾, ⁽²⁾, or at least 55 mm in ICES division 9a east of longitude 7°23' 48" W.
 - 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 assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall result in the same or better selectivity characteristics for hake as that of 70 mm, or 55 mm in ICES division 9a east of longitude 7°23' 48" W respectively.

Mesh Size	Geographical Areas	Conditions
At least 55mm	Whole area excluding ICES division 9a east of longitude 7°23' 48" W	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
At least 55 mm	ICES division 9a west of longitude 7°23' 48" W	Directed fishing for crustaceans
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

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⁽³⁾, or at least 80 mm in ICES division 8c and ICES sub-area 9.
- 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
a	A mesh size of less than 40 mm may be used for sardines.	

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At least 80 mm	Whole area except ICES division 8c and ICES sub-area 9	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 ^a 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
<p>a A mesh size of less than 40 mm may be used for sardines.</p>		

PART C

Closed or restricted areas

1. Closed area for the conservation of hake in ICES division 9a

Fishing with any trawl, Danish seine or similar towed net 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 system:

- (a) from 1 October to 31 January in the following year:
- 43°46,5' N, 07°54,4' W
 - 44°01,5' N, 07°54,4' W
 - 43°25,0' N, 09°12,0' W
 - 43°10,0' N, 09°12,0' W
- (b) from 1 December to the last day of February in the following year:
- a point on the west coast of Portugal at 37°50' N
 - 37°50' N, 09°08' W
 - 37°00' N, 09°07' W
 - a point on the west coast of Portugal at 37°00' N

2. Closed areas for the conservation of Norway lobster in ICES division 9a

2.1. Directed fishing for Norway lobster (*Nephrops norvegicus*) with any bottom trawl, Danish seine or similar towed net or with creels 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 system:

- (a) from 1 June to 31 August:
- 42°23' N, 08°57' W
 - 42°00' N, 08°57' W
 - 42°00' N, 09°14' W

- 42°04' N, 09°14' W
 - 42°09' N, 09°09' W
 - 42°12' N, 09°09' W
 - 42°23' N, 09°15' W
 - 42°23' N, 08°57' W
- (b) from 1 May to 31 August:
- 37°45' N, 09°00' W
 - 38°10' N, 09°00' W
 - 38°10' N, 09°15' W
 - 37°45' N, 09°20' W
- 2.2. It shall be permitted to fish with bottom trawls or similar towed nets or creels in the geographical areas and during the period as described in point 2.1(b) provided that all by-catches of Norway lobster (*Nephrops norvegicus*) are landed and counted against quotas.
- 2.3. Directed fishing for Norway lobster (*Nephrops norvegicus*) in the geographical areas and outside the periods referred to in point 2.1, shall be prohibited. By-catches of Norway lobster (*Nephrops norvegicus*) shall be landed and counted against quotas.
3. Restrictions on directed fishing for anchovy in ICES division 8c
- 3.1. Directed fishing for anchovy using pelagic trawls in ICES division 8c shall be prohibited.
- 3.2. The carrying on board of pelagic trawls and purse seines simultaneously within ICES division 8c shall be prohibited.
4. Use of static nets in ICES sub-areas 8, 9, 10, and 12 east of 27° W
- 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 80 mm in ICES division 8c and ICES sub-area 9 and 100 mm in all remaining areas 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.
 - Trammel nets in ICES sub-area 9 used for directed fishing for anglerfish of a mesh size of at least 220 mm and no more than 30 meshes deep, where the total length of nets deployed does not exceed 20 km per vessel and the maximum soak time is 72 hours.
- 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 Union 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. In situations where quota is not or not sufficiently available to the Member State concerned, the Commission may resort to Article 105(5) of Regulation (EC) No 1224/2009. Where accidental catches

of deepwater sharks by the vessels of any Member State exceed 10 tonnes then those vessels may no longer avail of the derogations set out in point 4.1.

4.3. Conditions for fisheries using certain towed gear authorised in the Bay of Biscay.

By way of derogation from the provisions laid down in Article 5(2) of Regulation (EC) No 494/2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas 3-7 and ICES Divisions 8a, 8b 8d and 8e, it shall be permitted to conduct fishing activity using trawls, Danish seines and similar gear, with the exception of beam trawls, with a mesh size range of 70-99 mm in the area defined in point (b) of Article 5(1) of Regulation (EC) No 494/2002 if the gear is fitted with a 100 mm square mesh panel.

- (1) This provision is without prejudice to Article 2 of Regulation (EC) No 494/2002.
- (2) 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 divisions 8a, 8b, 8d and 8e. 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.
- (3) For directed fishing for anglerfish a mesh size of at least 220 mm shall be used.