

**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](https://legislation.gov.uk). (See end of Document for details)

## 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>[F1]</sup>A fisheries administration must] take the necessary steps to collect scientific data on incidental catches of sensitive species.
3. <sup>[F2]</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>[F3]</sup>A fisheries administration must] monitor and assess the effectiveness of the mitigation measures established under this Annex.

#### Textual Amendments

- F1** 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)
- F2** 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)
- F3** 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
F4	F4
...	...
F4	F4
...	...
ICES sub-area 4 F5 ...	Any bottom-set gill net or entangling net, or combination of these nets, the total length of which does not exceed 400 m

**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](http://legislation.gov.uk). (See end of Document for details)

	Any bottom-set gillnet or entangling net $\geq$ 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

- F4** 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)
- F5** 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>F6</sup>fisheries administration] concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

#### Textual Amendments

- F6** 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>F7</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

- F7** 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>F8</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)
<sup>F9</sup> ...	<sup>F9</sup> ...
ICES divisions 6a, 7a, <sup>F10</sup>	Bottom-set gillnet or entangling nets using mesh sizes equal to or greater than 80 mm

**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](http://legislation.gov.uk). (See end of Document for details)

...	
ICES sub area 4, ICES division 6a, and ICES sub-area 7 F11	Driftnets
...	
[ <sup>F12</sup> ICES sub-area 4]	Pelagic trawls (single and pair)
ICES sub-areas 6, 7, 8 F13	High-opening trawls
...	
F14	F14
...	...

#### Textual Amendments

- F9** 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)
- F10** 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)
- F11** 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)
- F12** 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)
- F13** 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)
- F14** 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

- F8** 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>F15</sup>fisheries administration] concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

---

**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](https://legislation.gov.uk). (See end of Document for details)

---

### Textual Amendments

- F15** 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>F16</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

- F16** 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)

## <sup>F17</sup>PART C

### Marine turtles

1. ....

### Textual Amendments

- F17** 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)

**Changes to legislation:**

This version of this Regulation was derived from [EUR-Lex](#) on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](#).