

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

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 [^{F1}United Kingdom] fishing vessels ^{F2}... 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 [^{F1}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, [^{F3}regulations made] pursuant to Article 15 [^{F4}may] amend this Regulation by providing that the relevant provisions of Article 13 or parts A or C of Annexes [^{F5}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)

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- 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)
- 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 ^{[F6}Technical] measures shall contribute to the ^{[F7}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 ^{[F8}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 ^{F9}....

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)

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Article 4

Targets

- 1 Technical measures shall aim to ensure that:
- a catches of marine species below the minimum conservation reference size are reduced as far as possible in accordance with [^{F10}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 [^{F11}legislation applicable in any part of the United Kingdom] and international agreements that are binding on the [^{F12}United Kingdom].
 - c the environmental impacts of fishing activities on seabed habitats are in line with [^{F13}the fisheries objectives].

^{F14}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 [^{F15}United Kingdom] waters in ICES [^{F16}division 2a] and ICES sub-area 4;
- (b) ^{F17}
- (c) ‘North Western waters’ means [^{F18}United Kingdom] waters in ICES sub-areas 5, 6 and 7;
- (d) ‘South Western waters’ means [^{F19}United Kingdom waters of ICES division 8d];
- (e) ^{F20}
- (f) ^{F21}

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- (g) F22
- (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⁽¹⁾;
- (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 [^{F24}regulations made] pursuant to Article 27(7) of this Regulation;
- (4) ‘good environmental status’ means the environmental status of marine waters as defined [^{F25}in the Marine Strategy Regulations 2010];

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- (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;
- (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 ^{F26}... and vulnerable marine ecosystems as defined by point (b) of Article 2 of Council Regulation (EC) No 734/2008⁽²⁾;
- (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 ^{F27}...;
- (9) ‘small pelagic species’ means species such as mackerel, herring, horse mackerel, anchovy, sardine, blue whiting, argentines, sprat, and boarfish;
- (10) ^{F28}
- (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;

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- (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 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*;

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- (34) 'mesh size' means:
- (i) for knotted netting: the longest distance between two opposite knots in the same mesh when fully extended;
 - (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;

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- (48) ‘selectivity performance indicator’ means a reference tool to monitor progress over time towards the achievement of the ^{F29}... objective of minimising unwanted catches;
- (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 [^{F30}];
- (51) [^{F31}‘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)

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- (1) 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](#)).
- (2) 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](#)).

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Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

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

- Annex 4 para. 10 inserted by [S.I. 2024/439 reg. 8\(2\)\(a\)](#)
- Art.006(51) semicolon substituted for full stop by [S.I. 2023/1054 reg. 2\(2\)\(a\)](#)
- Art. 6(52)-(55) inserted by [S.I. 2023/1054 reg. 2\(2\)\(b\)](#)