

Commission Delegated Regulation (EU) 2019/2238 of 1 October 2019
specifying details of implementation of the landing obligation for
certain demersal fisheries in the North Sea for the period 2020-2021

Article 4

Survivability exemption for common sole

- 1 The survivability exemption referred to in Article 15(4)(b) of Regulation (EU) No 1380/2013 shall apply in the Union waters of ICES division 4c, within six nautical miles of the coast but outside identified nursery areas, to catches of common sole (*Solea solea*) below the minimum conservation reference size, made using otter trawls (OTB) with a cod-end mesh size of 80-99 mm.
- 2 The exemption referred to in paragraph 1 shall only apply to vessels with a maximum length of 10 meters and a maximum engine power of 221 kW, fishing in waters with a depth of 30 meters or less and with tow durations of no more than 1:30 hours.
- 3 When discarding common sole caught in the cases referred to in paragraph 1, the common sole shall be released immediately.

Changes to legislation:

There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/2238. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation partial repeal by [EUR 2020/2014 Regulation](#) (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Regulation repeal by [EUR 2020/2014 Regulation](#) (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 4(1) words substituted by [S.I. 2020/1542 reg. 5\(4\)](#)

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

- Art. 2(4) word substituted by [S.I. 2021/1429 reg. 8\(3\)\(a\)](#)
- Art. 2(5) words inserted by [S.I. 2021/1429 reg. 8\(3\)\(b\)](#)
- Art. 2(6) inserted by [S.I. 2021/1429 reg. 8\(3\)\(c\)](#)
- Art. 3(1)(b) omitted by [2020 c. 22 Sch. 11 para. 12\(2\)\(a\)](#)
- Art. 6(1)(c) omitted by [2020 c. 22 Sch. 11 para. 12\(3\)\(a\)](#)
- Art. 6(2)(a) omitted by [S.I. 2020/1542 reg. 5\(6\)\(c\)](#)
- Art. 6(2)(b) word substituted by [2020 c. 22 Sch. 11 para. 12\(3\)\(b\)](#)
- Art. 7(1)(a) word omitted by [S.I. 2020/1542 reg. 5\(7\)\(a\)\(ii\)](#)
- Art. 7(1)(b) omitted by [S.I. 2020/1542 reg. 5\(7\)\(a\)\(iii\)](#)
- Art. 10(a) words substituted by [S.I. 2020/1542 reg. 5\(10\)\(b\)](#)
- Art. 10(c) omitted by [S.I. 2020/1542 reg. 5\(10\)\(c\)](#)
- Art. 10(d) omitted by [S.I. 2020/1542 reg. 5\(10\)\(c\)](#)
- Art. 10(e) words omitted by [S.I. 2021/1429 reg. 8\(5\)\(a\)](#)
- Art. 10(f) omitted by [S.I. 2021/1429 reg. 8\(5\)\(b\)](#)
- Art. 10(f) words inserted by [2020 c. 22 Sch. 11 para. 12\(5\)\(a\)](#)
- Art. 10(f) words omitted by [2020 c. 22 Sch. 11 para. 12\(5\)\(b\)](#)
- Art. 10(g) omitted by [S.I. 2020/1542 reg. 5\(10\)\(c\)](#)
- Art. 10(h) words omitted by [2020 c. 22 Sch. 11 para. 12\(5\)\(b\)](#)
- Art. 10(j) words substituted by [S.I. 2021/1429 reg. 8\(5\)\(d\)](#)
- Art. 10(k) word substituted by [S.I. 2021/1429 reg. 8\(5\)\(e\)](#)
- Art. 10(k)-(n) words omitted by [2020 c. 22 Sch. 11 para. 12\(5\)\(b\)](#)
- Art. 10(l) word substituted by [S.I. 2021/1429 reg. 8\(5\)\(f\)](#)
- Art. 10(m) words omitted by [S.I. 2020/1542 reg. 5\(10\)\(d\)\(i\)](#)
- Art. 10(m) words substituted by [S.I. 2020/1542 reg. 5\(10\)\(d\)\(ii\)](#)
- Art. 10(o) inserted by [2020 c. 22 Sch. 11 para. 12\(5\)\(c\)](#)
- Art. 10(o) omitted by [S.I. 2021/1429 reg. 8\(5\)\(g\)](#)
- Art. 10(fa) inserted by [S.I. 2021/1429 reg. 8\(5\)\(c\)](#)