

Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters

TITLE II

FISHING OPPORTUNITIES FOR [F1UNITED KINGDOM] FISHING VESSELS

CHAPTER I

General provisions

Article 10

Measures on European seabass fisheries

1 [F1[F2It] is] prohibited for [F3United Kingdom] fishing vessels, as well as for any commercial fisheries from shore, to fish for European seabass in ICES divisions 4b and 4c, and in ICES subarea 7. [F4[F5It] is] prohibited to retain, tranship, relocate or land European seabass caught in that area. [F6This prohibition does not apply to by-catches in shore-based fixed gillnets that are not set from a vessel of—

- a) up to—
 - i) 26 nets in relation to the IFC authority for the North West,
 - ii) 5 nets in relation to the IFC authority for the North East, and
 - iii) 1 net in relation to the IFC authority for Devon and Severn, and
- b) up to 50 nets in the Welsh zone.]

2 By way of derogation from paragraph 1, [F7during January and during the period from 1 April to the end of December in each calendar year], [F8United Kingdom] fishing vessels in ICES divisions 4b, 4c, 7d, 7e, 7f and 7h and in waters within 12 nautical miles from baselines under the sovereignty of the United Kingdom in ICES divisions 7a and 7g may fish for European seabass, and retain, tranship, relocate or land European seabass caught in that area with the following gear and within the following limits:

- [F9a using demersal trawls (OTT, OTB, PTB, TBB, TBN, TBS and TB), as specified in Annex XI of Commission Implementing Regulation (EU) 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (“Annex XI”), for unavoidable by-catches not exceeding [F103.8 tonnes per vessel per calendar year] and 5 % of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip;
- b using seines (SSC, SDN, SPR, SV, and SX), as specified in Annex XI, for unavoidable by-catches not exceeding [F113.8 tonnes per vessel per calendar year] and 5 % of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip;
- c) using hooks and lines (LHP, LHM, LLD, LL, LTL, LX and LLS), as specified in Annex XI, only where the vessel has recorded catches of European seabass using hooks and

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lines over the period from 1 July 2015 to the end of September 2016, not exceeding [F12]6.2 tonnes per vessel per calendar year];

- d) using fixed gillnets, only where the vessel has recorded catches of European seabass using fixed gillnets over the period from 1 July 2015 to the end of September 2016, for by-catches not exceeding [F13]1.6 tonnes per vessel per calendar year.]

F14 ... In the case of a replacement of a [F8]United Kingdom] fishing vessel, [F15]a fisheries administration] may allow the derogation to apply to another fishing vessel provided that the number of [F8]United Kingdom] fishing vessels subject to the derogation and their overall fishing capacity do not increase.

[F16]Where the replacement vessel F17 ... is 8 metres or under in overall length and has no more than one hull, for the purposes of calculating the fishing capacity of the replacement vessel, and whether it may be subject to the derogation, it may be assumed that the replacement vessel’s gross tonnage and engine capacity is no greater than the vessel it replaced.]

3 [F18]Except in the case of a replacement vessel as provided for in the second subparagraph of paragraph 2, the] catch limits set out in paragraph 2 [F19]are not] transferable between vessels F20 ...

F21 ...

F22 4

5 In recreational fisheries, including from shore, in ICES divisions 4b, 4c, 6a, [F23]7a and 7d to 7j]:

- a [F24]during the period from 1 [F25]February] to the end of [F26]March]F27 ... in each calendar year], only catch-and-release fishing with a rod or a handline for European seabass [F28]is permitted]. During those periods, it [F29]is] prohibited to retain, relocate, tranship or land European seabass caught in that area;
- b [F30]during [F31]January and during] the period from 1 [F32]April] to the end of [F33]December] in each calendar year], not more than two specimens of European seabass may be caught and retained per fisherman per day; the minimum size of European seabass [F34]which may be retained is] 42 cm.

Point (b) of the first subparagraph [F35]does] not apply to fixed nets, which may not be used to catch or retain European seabass during the period referred to in that point.

[F36] In this Article—

F37 ...

F37 ...

F37 ...

“IFC authority” has the same meaning as in section 150 of the Marine and Coastal Access Act 2009;

F37 ...

F37 ...

F37 ...

“the Welsh zone” has the same meaning as in the Fisheries Act 2020.]

F38 7

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Textual Amendments

- F1** Words in Art. 10(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(a)(i)**
- F2** Word in Art. 10(1) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(a)(i)**
- F3** Words in Art. 10(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(a)(ii)**
- F4** Words in Art. 10(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(a)(iii)**
- F5** Word in Art. 10(1) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(a)(ii)**
- F6** Art. 10(1)(a)(b) and words inserted (30.7.2021) by The Sea Fisheries (Amendment etc.) Regulations 2021 (S.I. 2021/698), regs. 1(2), **2(2)(a)**
- F7** Words in Art. 10(2) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(b)(i)(aa)**
- F8** Words in Art. 10(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(b)(ii)**
- F9** Art. 10(2)(a)-(d) substituted for Art. 10(2)(a)(b) (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(b)(i)(bb)**
- F10** Words in Art. 10(2)(a) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(a)(i)**
- F11** Words in Art. 10(2)(b) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(a)(ii)**
- F12** Words in Art. 10(2)(c) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(a)(iii)**
- F13** Words in Art. 10(2)(d) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(a)(iv)**
- F14** Words in Art. 10(2) omitted (31.12.2021) by virtue of The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(b)(ii)**
- F15** Words in Art. 10(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(b)(iii)(bb)**
- F16** Words in Art. 10(2) inserted (30.7.2021) by The Sea Fisheries (Amendment etc.) Regulations 2021 (S.I. 2021/698), regs. 1(2), **2(2)(b)(iii)**
- F17** Words in Art. 10(2) omitted (31.12.2021) by virtue of The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(b)(iii)**
- F18** Words in Art. 10(3) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(c)**
- F19** Words in Art. 10(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(c)(i)**
- F20** Words in Art. 10(3) omitted (1.4.2023) by virtue of The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(b)**
- F21** Words in Art. 10(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(c)(iii)**
- F22** Art. 10(4) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(d)**
- F23** Words in Art. 10(5) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(e)(i)**
- F24** Words in Art. 10(5)(a) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(d)(i)**
- F25** Word in Art. 10(5)(a) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(i)(aa)**

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- F26** Word in Art. 10(5)(a) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(i)(bb)**
- F27** Words in Art. 10(5)(a) omitted (1.4.2023) by virtue of The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(i)(cc)**
- F28** Words in Art. 10(5)(a) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(e)(ii)(cc)**
- F29** Word in Art. 10(5)(a) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(e)(ii)(dd)**
- F30** Words in Art. 10(5)(b) substituted (31.12.2021) by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(d)(ii)**
- F31** Words in Art. 10(5)(b) inserted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(ii)(aa)**
- F32** Word in Art. 10(5)(b) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(ii)(bb)**
- F33** Word in Art. 10(5)(b) substituted (1.4.2023) by The Sea Fisheries (Amendment) Regulations 2023 (S.I. 2023/273), regs. 1(1), **2(2)(c)(ii)(cc)**
- F34** Words in Art. 10(5)(b) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(e)(iii)(bb)**
- F35** Word in Art. 10(5) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(e)(iv)**
- F36** Art. 10(6) re-inserted (30.7.2021) by The Sea Fisheries (Amendment etc.) Regulations 2021 (S.I. 2021/698), regs. 1(2), **2(2)(c)**
- F37** Words in Art. 10(6) omitted (31.12.2021) by virtue of The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **10(2)(e)**
- F38** Art. 10(7) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(3), **7(8)(f)**

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