

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 UNION FISHING VESSELS

CHAPTER III

Fishing opportunities in waters of regional fisheries management organisations

Section 4

IOTC Area of Competence

Article 26

Limitation of fishing capacity of vessels fishing in the IOTC Area of Competence

- 1 The maximum number of Union fishing vessels fishing for tropical tunas in the IOTC Area of Competence and the corresponding capacity in gross tonnage shall be as set out in point 1 of Annex VIII.
- 2 The maximum number of Union fishing vessels fishing for swordfish (*Xiphias gladius*) and albacore (*Thunnus alalunga*) in the IOTC Area of Competence and the corresponding capacity in gross tonnage shall be as set out in point 2 of Annex VIII.
- 3 Member States may reallocate vessels assigned to one of the two fisheries referred to in paragraphs 1 and 2 to the other fishery, provided that they can demonstrate to the Commission that such change does not lead to an increase of fishing effort on the fish stocks involved.
- 4 Member States shall ensure that, where there is a proposed transfer of capacity to their fleet, vessels to be transferred are on the IOTC record of authorised vessels or on the record of vessels of other tuna RFMOs. Furthermore, no vessels placed on the list of vessels engaged in IUU fishing activities of any RFMO may be transferred.
- 5 Member States may only increase their fishing capacity beyond the ceilings referred to in paragraphs 1 and 2 within the limits set out in the development plans submitted to the IOTC.

Article 27

Drifting FADs and supply vessels

- 1 A purse seiner shall not deploy more than 300 active drifting FADs at any time.
- 2 The number of supply vessels shall be no more than two supply vessels in support of not less than five purse seiners, all flying the flag of the same Member State. This provision shall not apply to Member States using only one supply vessel.

3 A single purse seiner shall not be supported by more than one single supply vessel of the same flag Member State at any time.

4 The Union shall not register new or additional supply vessels in the IOTC record of authorised vessels.

Article 28

Sharks

1 Retaining on board, transshipping or landing any part or whole carcass of thresher sharks of all the species of the *Alopiidae* family in any fishery shall be prohibited.

2 Retaining on board, transshipping or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) in any fishery shall be prohibited, except for vessels under 24 metres overall length engaged solely in fishing operations within the exclusive economic zone (EEZ) of the Member State whose flag they fly, and provided that their catch is destined solely for local consumption.

3 When accidentally caught, species referred to in paragraphs 1 and 2 shall not be harmed. Specimens shall be promptly released.