
STATUTORY INSTRUMENTS

2021 No. 1429

The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021

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

8.—(1) Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021(1) is amended as follows.

(2) In Article 1 (implementation of the landing obligation), omit “until the end of 2021”.

(3) In Article 2 (definitions)—

(a) in point (4), for “codend” substitute “cod-end”;

(b) in point (5), after “maximum mesh size of 105 mm” insert “, except that in United Kingdom waters of ICES division 4b the uppermost cod-end may be constructed with square meshes of at least 80 mm”;

(c) after point (5) insert—

“(6) ‘cod-end’ means the rearmost part of the trawl, having either a cylindrical shape, with the same circumference throughout, or a tapering shape. It may be made up of one or more panels attached to one another along their sides and includes any lengthening piece which is made up of one of more panels located just in front of the cod-end.”.

(4) In Article 6 (survivability exemption for catch and by-catch of plaice), in paragraph 3, after “immediately” insert “and in the case referred to in point (a) of paragraph 1, the plaice must be released during the net hauling process wherever this is reasonably possible”.

(5) In Article 10 (de minimis exemptions)—

(a) in point (e), omit “in 2020 and 2021”;

(b) omit point (f);

(c) after the omitted point (f), insert—

“(fa) in the mixed demersal fisheries in United Kingdom waters of ICES divisions 4a and 4b, by vessels using bottom trawls or seines (OTB, OTT, SDN, SSC) with a mesh size of 70-99 mm:

a quantity of whiting below the minimum conservation reference size, which must not exceed 5 % of the total annual catches of whiting;”;

(d) in point (j) for “a quantity” to the end of the sentence in which it occurs substitute “any species subject to catch limits may be discarded, provided the total amount of each species discarded does not exceed 5 % of the total annual catches of that species;”;

(e) in point (k), for “7 % in 2020 and 6 % in 2021” substitute “6 %”;

(f) in point (l), for “7 % in 2020 and 6 % in 2021” substitute “6 %”;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (g) omit the second point (o) (which begins “in the demersal fisheries by vessels”)(2).
(6) For Article 14 (application) substitute—

“Article 14

Expiry

This Regulation ceases to have effect at the end of 31 December 2024.”.

(2) Article 10 inadvertently includes two different points lettered (o). The point which begins “in the demersal fisheries by vessels” was inserted by Article 1(3)(b) of Commission Delegated Regulation (EU) 2020/1758. The point which begins “in fisheries by vessels” was inserted by paragraph 12(5)(c) of Schedule 11 to the Fisheries Act 2020.