

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 465 final

~~PITTSBURGH~~, 17th July 1980

AMENDED PROPOSAL REGULATION (EEC) OF THE COUNCIL
LAYING DOWN TECHNICAL MEASURES FOR THE
CONSERVATION OF FISHERY RESOURCES

(presented by the Commission to the Council, pursuant
to the second paragraph of article 149 of the EEC treaty)

COM(80) 465 final

EXPLANATORY MEMORANDUM

The present proposal for a Regulation, presented in conformity with Article 149, paragraph 2 of the Treaty, modifies the proposal for a Council Regulation (EEC) laying down technical measures for the conservation of fishery resources (1).

This modification has two main purposes :

- to review and clarify the wording of the proposal.

Since the original proposal was made on 13 October 1977, various amendments have been put forward to take into account new scientific data as well as the discussions which have taken place in the Council. The inclusion of these amendments has considerably altered the form of the proposed Regulation and has made difficult the comprehension and interpretation of several provisions. Therefore, it appears appropriate to consolidate the Commission proposals in a new text which will facilitate the presentation of the objectives and means of the Regulation, without changing the substance of those items on which agreement in the Council hitherto could be reached.

- To propose a solution to the major substantial difficulties which subsist in the Council.

The proposal modifies the substance of those provisions where the latest discussions permit an assimilation of Member States' views on a number of important questions which had been unresolved until now, in particular concerning the increase of mesh sizes for whitefish and Nephrops.

In this respect, and taking into account both recent scientific advice and the results of most recent discussions, the Commission proposes a number of measures which are urgent and essential for the long term protection of stocks.

In this connection, the Commission is aware of the hardship which too big increases of mesh sizes cause to fishermen, in the short term, in particular during a time when total allowable catches have to be reduced to rebuild the stocks.

(1) COM(77) 515 fin. of 13.10.1977
COM(77) 646 fin. of 30.11.1977
COM(78) 7 fin. of 16.01.1978
COM(78) 635 fin. of 13.11.1978
COM(79) 80 fin. of 19.02.1979
COM(79) 164 fin. of 23.03.1979
COM(79) 200 fin. of 04.04.1979
COM(79) 709 fin. of 27.11.1979

In the light of these considerations, in the case of whitefish, the Commission has further delayed the introduction of a 90 mm mesh size in the North Sea to 1 July 1982, which date might be reviewed in the light of the experience acquired with the utilisation of 80 mm mesh sizes and taking into account scientific advice.

For the English Channel, the Commission is aware that the scientific data referring to that area is less abundant than for the North Sea and therefore proposes to increase the mesh size there to 80 mm - as in the other parts of Region 2 outside North Sea, Skagerrak and Kattegat and the Irish Sea - only after additional research efforts, which Member States should undertake to provide, confirm the scientific advice given until now.

As far as the Irish Sea is concerned, the Commission follows the advice from ICES not to increase the size for either single or double twined meshes in this area.

For Nephrops the Commission maintains its previous proposals that the mesh size should be increased to 70 mm from 1 January 1983 on in all waters of Region 2 except the North Sea and West of Scotland, where such increase should take place as soon as possible and in Skagerrak and Kattegat, where it has not yet been possible to follow ICES advice similarly recommending a mesh size increase to 70 mm, whereas agreement has been reached with Norway and Sweden on a mesh size increase to 60 mm only from 1 January 1981.

However, as in the case of the mesh size increase for whitefish in the North Sea, the Commission has provided a review clause with respect to the date of 1 January 1983 in the Western approaches, where Nephrops fishery is particularly important.

As to the first step of mesh size increases in all areas and for the species concerned, the Commission has, in accordance with its Communication of 8 November 1979 (1), provided for a period of notice of at least 2 months before the increased mesh sizes shall take effect.

The Commission reserves the right to make appropriate proposals later for the Baltic Sea.

The Commission further envisages submitting appropriate proposals for the conservation of those stocks of shellfish which are not covered by Article 10 of the proposed Regulation.

(1) COM(79) 635 final

As far as the fishery for Norway pout is concerned, the Commission is examining carefully the data which has become available since its last proposal in this matter (1). The Commission reserves the right to amend its proposal in the light of all relevant factors emerging from that examination. In the meantime, the Commission maintains its previous proposal.

(1) COM(78) 7 final of 16.1.1978

4

PROPOSAL FOR A

COUNCIL REGULATION (EEC) No. /80

OF

Laying down technical measures for the
conservation of fishery resources.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No / of
establishing a Community system for the conservation and management
of fishery resources ⁽¹⁾, and in particular Article 2 thereof;

Having regard to the proposal from the Commission

Whereas Article 2 of Regulation (EEC) No / of
requires the Council to adopt the conservation measures necessary
to achieve the protection of fishing grounds and fish stocks and
the balanced exploitation of fishery resources;

Whereas, these technical measures should specify, inter alia, the mesh
sizes, by-catch rates and fish sizes permitted as well as the limitation
of fishing within certain areas and periods and with certain gear;

Whereas, in cases of strictly local stocks, Member States should, subject
to Community examination, be permitted to take conservation measures under
certain conditions;

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⁽¹⁾ OJ No

Whereas urgent new conservation measures and detailed rules on the implementation of this Regulation may be necessary; whereas such measures and rules should be adopted in accordance with the procedure laid down in Articles 31 paragraph 2, and 32 of Council Regulation (EEC) No. 100/76 of 19 January 1976 on the common organization of the market in fishery products (1);

Whereas, where conservation is seriously threatened, Member States should be permitted to take appropriate measures on a provisional basis;

HAS ADOPTED THIS REGULATION :

(1) O.J. No. L 20, 28.01.1976, p. 1

Article 1 : Definition of areas

1. This Regulation applies to the taking and landing of biological resources arising in all maritime waters under the sovereignty or jurisdiction of the Member States and subject to Community fisheries legislation which are situated in the following regions :

Region 1:

- a) All waters off the coasts of Greenland and St. Pierre et Miquelon;
- b) All other waters which lie to the North and the West of a line running from a point 48° north latitude, 18° west longitude; thence due north to 60° north latitude; thence due east to 5° west longitude; thence due north to 60°30' north latitude; thence due east to 4° west longitude; thence due north to 64° north latitude; thence due east to the coast of Norway;

Region 2: All other waters situated north of 48° north latitude, but excluding the Baltic Sea and Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to the Kullen;

Region 3: All waters situated within those parts of the North-East Atlantic south of 48° north latitude, except the Mediterranean Sea and its dependent seas;

Region 4: All waters off the coasts of the French Department of Guyane;

Region 5: All waters off the coasts of the French departments of Martinique and Gouadeloupe;

Region 6: All waters off the coasts of the French department of Reunion.

2. These regions may be divided according to subareas or divisions of the International Council for the Exploration of the Sea (ICES) or subareas, divisions or subdivisions of the Northwest Atlantic Fisheries Organization (NAFO) or parts thereof or according to other geographical criteria.
3. For the purposes of this Regulation, the Kattegat is limited in the north by a line drawn from Skagen Lighthouse to the lighthouse in Tistlarna, and from here to the nearest point on the Swedish coast, and in the south by a line drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg, and from Gilbjerg Head to the Kullen.

The Skagerrak is limited in the west by a line drawn from the Lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from here to the nearest point on the Swedish coast.

4. For the purposes of this Regulation, the North Sea shall be regarded as ICES subarea IV and that part of ICES Division IIIa which is not covered by the definition of Skagerrak given in paragraph 3.

Title I : Mesh sizes

Article 2 : General rule

1. It shall be prohibited to use or to haul any trawl, Danish seine or similar net having anywhere meshes of a smaller size than those laid down in Annex I for the Region and the type of net concerned within the period specified.

In Region 2 no vessel shall use any net having in the codend meshes of dimensions between 50 mm and those specified in Annex I for that Region.

2. The Council shall, on proposal of the Commission, in the light of the experience acquired and considering scientific advice, decide before 1 April 1982 if and to which date the mesh size increase to 90 mm in the North Sea may be deferred.
3. The Council shall, on proposal of the Commission, in the light of scientific advice based on additional research efforts which the Member States concerned undertake to provide to each other and to ICES, decide before 31 October 1982 on the increase of the mesh size in the English Channel to 80 mm, irrespective of the type of mesh used, from 1 January 1983.
4. The provisions of this Article are without prejudice to the specific provisions laid down in the following Articles.

Article 3 : Small meshed nets

1. Trawls, Danish seines or similar nets having mesh sizes smaller than those specified in Annex I, but not smaller than those specified in Annex II, may be used when fishing in the Regions for the species listed in Annex II.

However, when fishing for the species listed in Annex III in the zones referred to therein, only those trawls, Danish seines or similar nets may be used which have mesh sizes specified in Annex I.

2. Until six months after the entry into force of this Regulation, nets having meshes not smaller than 16 mm may be used when fishing for Prawns (Pandalus) in Region 2.

Article 4 : Nephrops

1. Trawls, Danish seines or similar nets having mesh sizes smaller than those specified in Annex I, but not smaller than those laid down in Annex IV may be used when fishing for Nephrops in the Regions and within the periods specified in Annex IV.
2. The Council shall, on proposal of the Commission, in the light of the experience acquired and considering scientific advice, decide before 1 October 1982 if and to which date the mesh size increase to 70 mm in the Western approaches may be deferred.

Article 5 : Hake

Trawls, Danish seines or similar nets having mesh sizes smaller than 80 mm may not be used when fishing for hake in Regions 2 and 3.

However, during the period of two months following the entry into force of this Regulation, those mesh sizes may be used which are specified in Annex I for this period and the Region concerned.

Article 6 : Measurement of mesh sizes

The mesh size shall be measured in accordance with the detailed rules laid down in Annex V.

Article 7 : Attachments to nets

No device shall be used by means of which the mesh in any part of a fishing net is obstructed or otherwise effectively diminished. This provision does not exclude the use of the devices referred to in Annex VI.

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Title II : By-catches

Article 8 : By-catches with small meshed nets

1. Catches taken in accordance with Article 3 may not comprise more than 10% of the species listed in Annex VII in those Regions for which an entry has been made in that Annex and of Sepia.

Until 31 December 1980, this percentage may be 15% in the Kattegat.

Until 31 December 1980 the first subparagraph shall not apply to fishing for shrimp of the species Crangon in waters situated within a 12-mile limit measured from Member States' baselines. Furthermore, those waters situated within the 12-mile limit within which the first subparagraph shall not be applied from 1 January 1981 shall be defined according to the procedure provided for in Article 20 taking into account scientific advice and technical development as well as fishing practices.

2. All catches taken during a voyage by a vessel carrying both nets complying and nets not complying with Article 2 shall be held to have been taken with nets not complying with Article 2, unless the records of the fishing operations which the skipper has to keep according to Article 1 of Council Regulation (EEC) No. 753/80 of 26 March 1980 (1) and according to the detailed rules for the implementation of this provision show otherwise.

For that part of the catch taken with nets complying with Article 2, paragraph 1 shall not apply.

3. Catches taken in accordance with Article 3 may not comprise by-catches of salmon and trout.
4. Within the area bounded by latitudes 49° and 52°30' North and longitudes 5° and 9° West (Celtic Sea), catches taken in accordance with Article 3 or with purse seines during mackerel and sprat fishing may not comprise by-catches of herring.

(1) O.J. No. L 84 of 28.3.1980, p. 33

Article 9 : Special provisions on by-catches

1. Catches taken in accordance with Article 4 may not comprise more than 50% of the species listed in Annex VII in those Regions for which an entry has been made in that Annex and of Sepia.

However, in Region 3 this percentage shall be 60% until the increase of mesh size to 60 mm takes effect.

2. Catches taken with nets not complying with Article 5, but complying with Annex I for the Region and type of net concerned may not comprise more than 30% of hake.
3. Where a percentage of by-catch of herring has been authorized in the fishery of other species in an area and during a period for which a total allowable catch of zero has been fixed for the stock, this percentage is measured in accordance with Article 10 paragraph 1.

Article 10 : Measurement and disposition of by-catches

1. The relevant percentage is measured as part of the weight of all fish on board, or of any representative sample thereof of at least 100 kg, after sorting, in the hold or on landing.

However, when fishing for sandeel with nets having mesh sizes of less than 16 mm, catches of other species may not exceed 10% by weight of all fish or of any amount of more than 100 kg on board at any time or on landing.

2. Prohibited by-catches and those exceeding the relevant percentage may not be retained on board but shall be returned immediately to the sea.

Title III : Fish Sizes

Article 11

1. Undersized fish shall not be retained on board or be transhipped, landed, transported, sold or held in possession, displayed or offered for sale, but shall be returned immediately to the sea.

However,

- landings of herring may consist of up to 10% by weight of undersized herring;
- landings of mackerel may consist of up to 15% by weight of undersized mackerel;
- landings of saithe caught in the Skagerrak or the Kattegat may consist of up to 10% of undersized saithe.

2. Undersized fish taken as by-catch within the limits specified in Article 8 paragraph 1 shall, for the purpose of human consumption, not be retained on board or be transhipped, landed, transported, sold or held in possession, displayed or offered for sale.
3. A fish shall be regarded as undersized if its size is smaller than the minimum size specified in Annex VII or Annex VIII for the species and Regions and, where applicable, during the period concerned.
4. The size of a fish shall be measured in centimetres from the tip of the snout to the end of the tail fin. However, the size of Nephrops shall be expressed in carapace length measured parallel to the mid-line from the back of either eye-socket to the rear edge of the carapace.
5. The size of a fish equivalent to the size measured according to paragraph 4 may be expressed in number of fish per unit of weight according to the procedure provided for in Article 20.

Title IV - Prohibition of fishing for certain
species within certain areas and periods

Article 12 : Salmon

Within the waters situated outside a 12-mile limit measured from Member States' baselines in that part of Region 1 east of 44° west longitude and in Regions 2 and 3 catches of salmon shall not be retained on board or be transhipped, landed, transported, sold or held in possession, displayed or offered for sale, but shall be returned immediately to the sea.

Article 13 : Redfish and herring

For the protection of spawning grounds and nursery areas, fishing for the following species shall be prohibited in the following areas and periods:

1. Redfish during the whole year :

(a) Northern area from the coast of Greenland at latitude 67°00' North to :

- latitude 67°00'N, longitude 30°30'W
- latitude 65°40'N, longitude 30°30'W
- latitude 65°40'N, longitude 31°50'W
- latitude 65°30'N, longitude 33°10'W
- latitude 65°10'N, longitude 34°00'W
- latitude 65°10'N, longitude 35°00'W
- latitude 64°45'N, longitude 35°20'W

as far as the coast of Greenland at latitude 64°35'N.

(b) Southern area from the coast of Greenland at latitude 64°20'N to :

- latitude 64°20'N, longitude 36°20'W
- latitude 63°50'N, longitude 36°50'W
- latitude 63°15'N, longitude 39°30'W
- latitude 63°45'N, longitude 39°30'W

as far as the coast of Greenland at latitude 63°45'N.

2. Herring every year from 15 August to 30 September :

In the maritime area bounded by a line joining the following points:

- the Butt of Lewis
- Cape Wrath
- to the north, at latitude 58°55'N and longitude 05°00'W
- to the west, at latitude 58°55'N and longitude 07°10'W
- to the south-west, at latitude 58°20'N and longitude 08°20'W
- to the south, at latitude 57°40'N and longitude 08°20'W
- East of Hebrides.

Title V : Limitation of the use of specific gear or vessels

Article 14

1. Purse seines may not be used for the fishing of the species listed in Annex VII, nor may they be used for the fishing of herring in the Celtic Sea.
2. In the waters situated within a 12-mile limit measured from the baselines of the mainland coasts of Belgium, Germany, the Netherlands, France, the United Kingdom, Ireland and the west coast of Denmark as far as the Hirtshals lighthouse, catches taken by any vessel exceeding 50 GRT or 300 bhp may not comprise more than 10% by weight of the species sole and plaice combined as part of the entire catch on board. Sole and plaice taken in excess of this percentage shall not be retained on board such vessel but shall be returned immediately to the sea.

Article 15

1. Trawls, Danish seines or similar nets having mesh sizes smaller than those specified in Annex I for the Region concerned or purse seines may not be used for the fishing of mackerel from 1 March until 15 November of each year within an area defined by a line joining the following points :
 - the South-West coast of the United Kingdom at longitude 05°00' West
 - longitude 05°00' West/latitude 49°30' North
 - longitude 07°00' West/latitude 49°30' North
 - longitude 07°00' West/latitude 50°30' North
 - the South-West coast of the United Kingdom at latitude 50°30' North.
2. Trawls, Danish seines or similar nets as well as purse seines and other ring nets may not be used in those areas to the west of Scotland defined in Annex IX during a period each year between 1 October and 31 March. The exact period will be fixed each year in relation to the climatic conditions determining the fishing of sprat and herring in these areas, in accordance with the procedure provided for in Article 20.

3. Trawls having mesh sizes smaller than 32 mm may not be used in waters situated within 3 miles from the coastline in the Skagerrak and the Kattegat during 1 July to 15 September.

However, when trawling within this area and during this period :

- for deep-water prawn (Pandalus borealis) or shrimp a mesh size of 30 mm may be used
- for eelpout, gobies or skorpion fish, to be used for bait, meshes of any size may be used.

Article 16

Vessels which carry out processing operations other than the evisceration, salting, boiling, and shelling of prawns and shrimps, or filleting, freezing and the reduction of offal and unavoidable by-catches taken within the authorized maximum limit may not be used. *

However, until 31 December 1980 such vessels may be used for the processing of blue whiting. This delay may be extended in accordance with the procedure provided for in Article 20.

Title VI - Final provisions

Article 17

This Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigation, artificial restocking or transplantation by vessels authorized by a Member State for that purpose, or to fish caught in the course of such operations. The Member States concerned shall inform the Commission that authorization for such operations has been granted.

Fish caught for the purposes set out in the first subparagraph may not be sold, or held in possession, displayed or offered for sale in contravention of the other provisions of this Regulation.

* The Commission proposes to make the following Declaration to the Council Proceedings: "Detailed rules for the application of Article 16 shall be adopted in accordance with the procedure provided for in Article 20 taking into account in particular the objectives of conservation and surveillance as well as the technological developments likely to take place in shipboard processing."

Article 18

1. In the case of strictly local stocks of interest to the fishermen of one Member State only, that Member State may take measures for the conservation and management of those stocks not provided for in Community Regulations and under conditions that such measures do not conflict with Community provisions.

Before adopting these measures the Member State concerned shall obtain the agreement of the Commission on the finding that these stocks interest only the said Member State and are in accordance with paragraph 1.

2. The other Member States and the Commission shall be notified of these measures.

Article 19

1. Where the conservation of fish stocks calls for immediate action, the Commission may, by way of derogation from this Regulation, adopt any measures necessary in accordance with the procedure laid down in Articles 31 paragraph 2 and 32 of Council Regulation (EEC) No. 100/76. This includes measures to this end which have not been specifically provided for in this Regulation.
2. Where the conservation of certain species or fishing grounds is seriously threatened and where any delay would result in damage which would be difficult to repair, the coastal State may take appropriate non-discriminatory conservation measures in respect of the waters under its jurisdiction.
3. These measures, together with an explanatory memorandum, shall be communicated to the Commission and the other Member States by telex as soon as they are decided on.
4. Within 10 calendar days of receipt of such notification, the Commission shall confirm, cancel or amend the measures. The Commission's decision shall be immediately notified to the Member States.
5. Any Member State may refer the Commission's decision to the Council within 10 calendar days of receiving the notification referred to in paragraph 4.
6. The Council, acting by a qualified majority, may adopt a decision differing from the Commission's decision within 30 calendar days of the matter being referred to it.

Article 20

Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure laid down in Articles 31 paragraph 2 and 32 of Regulation (EEC) No. 100/76.

Article 21

This Regulation shall enter into force on the fifteenth day following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at

For the Council
The President

17

ANNEX I

REGION	PART OF REGION	PERIOD	TYPE OF NET	MESH SIZE (in mm)
1		From entry into force of this Regulation	All	120
2	Skagerrak and Kattegat	From entry into force of this Regulation	Seine net, or such part of any trawl net as is made of single twine and contains no manila or sisal	70
			Such part of any trawl net as is made of double twine and contains no manila or sisal	75
			Such part of any trawl net as is made of manila or sisal	80
	North Sea	From entry into force of this Regulation	Single twine	70
			Double twine	75
		Two months after entry into force of this Regulation	All	80
	West of Scotland, West of Ireland, Western approaches (ICES Subarea VI, Divisions VIIb,c, f,g,h,j,k)	From entry into force of this Regulation	Single twine	70
		1 January 1981	All	80
	Irish Sea (ICES Division VIIa)	From entry into force of this Regulation	Single twine	70
			Double twine	75
	English Channel (ICES Divisions VIId,e)	From entry into force of this Regulation	Single twine	70
Double twine			75	
3		From entry into force of this Regulation	Single twine	60
			Double twine	65
		Two months after entry into force of this Regulation	All	65

Annex I - cont'd

REGION	PART OF REGION	PERIOD	TYPE OF NET	MESH SIZE (in mm)
4		From entry into force of this Regulation	All	45
5		p.m.	p.m.	p.m.
6		p.m.	p.m.	p.m.

ANNEX II

<u>SPECIES</u>	<u>Minimum mesh size, in mm</u>
<u>REGION 1</u>	
Polar cod (<u>Boreogadus saida</u>)	16
Capelin (<u>Mallotus villosus</u>)	"
Blue whiting (<u>Micromesistius poutassou</u>)	"
Argentine (<u>Argentina spp</u>)	"
Herring (<u>Clupea harengus</u>)	"
Molluscs	"
Silver pout (<u>Gadiculus thorii</u>)	"
Nephrops (<u>Nephrops norvegicus</u>)	"
Norway pout (<u>Trisopterus esmarkii</u>)	"
Prawns (<u>Pandalus spp</u>)	"
except as specified below :	
Prawns in NAFO Subareas 1 and ICES Subareas V and XIV (offshore) :	40
Redfish in NAFO Division 3P	16
Clupeoid fish other than herring	"
Eels (<u>Anguilla anguilla</u>)	"
Great weevers (<u>Trachinus draco</u>)	"
Horse mackerel (<u>Trachurus trachurus</u>)	"
Mackerel (<u>Scomber scombrus</u>)	"
Sandeels (<u>Ammodytidae</u>)	"
Saury (<u>Scomberesox saurus</u>)	"
Shrimps (<u>Crangon spp</u>)	"
Smelts (<u>Osmerus spp</u>)	"

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REGION 2 (a)

Herring (<u>Clupea harengus</u>)	16
Mackerel (<u>Scomber scombrus</u>)	"
Horse mackerel (<u>Trachurus trachurus</u>)	"
Sprat (<u>Clupea sprattus</u>)	"
Norway pout (<u>Trisopterus esmarkii</u>)	"
Blue whiting (<u>Micromesistius poutassou</u>)	"
Argentine (<u>Argentina spp</u>)	"
Prawns (<u>Pandalus spp</u>)	35
Shrimps (<u>Crangon spp</u>)	20
Eels (except elvers) (<u>Anguilla anguilla</u>)	16
Great weevers (<u>Trachinus draco</u>)	16
Molluscs (except cuttlefish - <u>sepia officinalis</u>)	16
Sandeels (<u>Ammodytidae</u>)	none
except as <u>specified</u> below :	
Sandeels in the North Sea in the period between 1 November and the last day of February inclusive	16
Capelin (<u>Mallotus villosus</u>)	"
Saury (<u>Scomberesox saurus</u>)	"
Smelts (<u>Osmerus spp</u>)	"
Sardines (<u>Sardina pilchardus</u>)	"

(a) Except in Skagerrak and Kattegat for the species listed below.

SKAGERRAK - KATTEGAT

Herring (<u>Clupea harengus</u>)	32
Mackerel (<u>Scomber scombrus</u>)	32
Horse mackerel (<u>Trachurus trachurus</u>)	32
Deep water prawn (<u>Pandalus borealis</u>)	30
Argentine (<u>Argentinidae</u>)	30
Sandeel (<u>Ammodytes spp</u>) in the Skagerrak between 1 November and the last day of February inclusive - in the Kattegat between 1 August and the last day of February inclusive	16
Shrimp (<u>Crangon spp.</u> and <u>Leander adspersus</u>)	
- inside 4 miles from the baselines	16
- outside 4 miles from the baselines	30
Garfish (<u>Belone belone</u>)	16
Grey gurnard (<u>Eutrigla gurnardus</u>)	16

REGION 3

Bastard sole (<u>Dicologlossa cuneata</u>)	40
Sardine (<u>Sardina pilchardus</u>)	20
Shrimps (<u>Crangon spp</u>)	"
Eels (except elvers) (<u>Anguilla anguilla</u>)	20
Sprat (<u>Clupea sprattus</u>)	16
Anchovy (<u>Engraulis encrassicholus</u>)	"
Sandeel (<u>Ammodytidae</u>)	"
Herring (<u>Clupea harengus</u>)	40
Horse mackerel (<u>Trachurus trachurus</u>)	"
Mackerel (<u>Scomber scombrus</u>)	"

ANNEX III

1. Blue whiting (Micromesistus poutassou), in that part of Region 2 to the south of latitude 52°30' N and west of longitude 7°00' W.

2. Bastard sole (Dicologlossa cuneata), in all parts of Region 3 outside an area bounded by a line connecting the following points, within which only vessels not exceeding 150 bhp may use nets having mesh sizes not smaller than 40 mm :
 - 46°16' latitude North, 01°36' longitude West (Phare des baleines)
 - 46°05' latitude North, 01°44' longitude West
 - 45°40' latitude North, 01°34' longitude West
 - 44°40' latitude North, 01°34' longitude Westand then due East to the coast.

3. Shrimp and prawn, outside the 12-mile limit measured from the baselines of Member States in Region 3.

4. Norway pout (Trisopterus esmarkii), in that part of the North Sea bounded by a line connecting the following points :
 - East coast of United Kingdom at 56°00' latitude North ;
 - 56°00' latitude North - 00°00' longitude ;
 - 60°00' latitude North - 00°00' longitude ;
 - 60°00' latitude North - 03°00' longitude West ;
 - 58°30' latitude North - 03°00' longitude West ;
 - East coast of United Kingdom at 58°30' latitude North.

ANNEX IV

REGION	PART OF REGION	PERIOD	MESH SIZE (in mm)
2	North Sea, West of Scotland, Irish Sea, West of Ireland, English Channel (ICES Sub- area IV, Divisions VIa, VIIa,b,c,d,e,f,j,k)	From entry into force of this Regulation	55
		Two months after entry into force of this Regulation	70
	Western approaches (ICES Divisions VIIg,h)	From entry into force of this Regulation	55
		Two months after entry into force of this Regulation	60
		From 1 January 1983	70
	Skagerrak, Kattegat	From entry into force of this Regulation	45
		From 1 January 1981	60
	3		From entry into force of this Regulation
Two months after entry into force of this Regulation			50
From 1 January 1983			60

The minimum mesh size shall be such that when the mesh is stretched diagonally lengthwise, a flat gauge 2 mm thick of the appropriate width passes through it easily.

The mesh size of a net shall be determined by the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the lacings, measured in the cod-end of the net beginning at the aft end and running parallel to the long axis.

In the Skagerrak and in the Kattegat, the top-side of the cod-end should be measured.

When measuring, mended meshes should be avoided.

1. Any canvas, netting, or other material attached to the underside of the cod-end of a trawl net for the purpose of preventing wear or tear, fastened to the cod-end-only along the forward and lateral edges of the device.
2. A strengthening bag made of heavier material than the cod-end and having a minimum mesh size of 80 mm, attached to trawl nets with meshes of dimensions smaller than those specified in Annex I with the exception of those nets mentioned in Article 4.
3. A chafer or a cover made of a piece of netting consisting of the same material as the cod-end, having in all its parts a mesh twice the mesh size of the cod-end and fastened to the cod-end along the forward, lateral and rear edges only of the netting in such a way that each mesh of the netting coincides with four meshes of the cod-end, attached to trawl nets with meshes of dimensions smaller than those specified in Annex I in Regions 2 and 3 and to all trawl nets in Region 1.
4. When fishing in the Skagerrak and in the Kattegat, it shall be permitted to use in trawl nets and Danish seines a non-return net with a smaller mesh size inside the net in front of the lacings of the cod-end, of such a length that it cannot extend rearward, beyond the cod-end lacings.
5. When fishing in the Skagerrak and the Kattegat, the devices mentioned in paragraphs 2 and 3 may not be used simultaneously.

ANNEX VII

	<u>Region</u> <u>1</u>	<u>Region</u> <u>2</u>	<u>Region</u> <u>3</u>
Cod (<i>Gadus morhua</i>)	34(a)	30(b)	30
Haddock (<i>Melanogrammis aeglefinus</i>)	31	27	27
Hake (<i>Merluccius merluccius</i>)	30	30	30
Plaice (<i>Pleuronectes platessa</i>)	25	25(c)	25
Witch (<i>Glyptocephalus cynoglossus</i>)	28	28	28
Leion sole (<i>Microstomus kitt</i>)	25	25	25
Sole (<i>Solea solea</i>)	24	24	24
Turbot (<i>Psetta maxima</i>)	30	30	30
Brill (<i>Scophthalmus rhombus</i>)	30	30	30
Merrim (<i>Lepidorhombus</i> spp)	25	25	25
Whiting (<i>Merlangius merlangus</i>)	27	27(d)	23
Dab (<i>Limanda limanda</i>)	15	15(e)	15
Saithe (<i>Pollachius virens</i>)	35	30	30
Common sea bream (<i>Pagellus cantabricus</i>)	-	-	12
Red mullet (<i>Mullus surmuletus</i>)	-	-	15
Bass (<i>Dicentrarchus labrax</i>)	-	p.m.	-
Conger eel (<i>Conger conger</i>)	-	-	58
Pollack (<i>Pollachius pollachius</i>)	-	-	22
Ling (<i>Molva molva</i>)	-	p.m.	63
Shad (<i>Alosa</i> spp)	-	-	30
Sturgeon (<i>Acipenser sturio</i>)	-	-	145
Grey mullet (<i>Mugil</i> spp)	-	-	20
Salmon (<i>Salmo salar</i>)	-	-	48
Trout (<i>Salmo trutta</i>)	-	-	23
Flounder (<i>Plastichthys flesus</i>)	-	20(f)	-

(a) Except in NAFO sub-area 1 where the minimum size shall be 40 cm.
 (b) Except in ICES Division VIIa, where the minimum size shall be 45 cm.
 (c) Except in the Skagerrak and the Kattegat, where the minimum size shall be 27 cm.
 (d) Except in the Skagerrak and the Kattegat, where the minimum size shall be 23 cm.
 (e) Except in the Skagerrak and the Kattegat, where the minimum size shall be 23 cm.
 (f) In Skagerrak and Kattegat only.

27

ANNEX VIII

Species	Region	Part of Region	Period	Minimum Size
Herring	1 2 3	Except Skagerrak and Kattegat	From entry into force of this Regulation	20
	2			
Mackerel	2	North Sea	From entry into force of this Regulation	30
Nephrops	2	North Sea, West of Scotland, Irish Sea, West of Ireland, English Channel (ICES Sub-area IV, Divisions VIa, VIIa,b,c,d,e,f,j,k,)	From entry into force of this Regulation	20
			Two months after entry into force of this Regulation	25
		Western approaches (ICES Divisions VIIg,h)	From entry into force of this Regulation	20
			From the date on which the increase of mesh size to 60 mm takes effect	25
	Skagerrak, Kattegat	From entry into force of this Regulation	40	
3		From entry into force of this Regulation	20	

LOCH LAXFORD

Being the area of waters lying within a straight line drawn from a point on the mainland at $58^{\circ}25.7'$ North latitude and $05^{\circ}07'$ West longitude (Dughail Point) at 220° True to a point on the mainland at $58^{\circ}24.7'$ North latitude and $5^{\circ}08.5'$ West longitude (Rudha Ruadh).

LOCH CAIRNBAAN

Being the area of waters lying within a straight line drawn from a point on the mainland at $58^{\circ}20.5'$ North latitude and $05^{\circ}10.5'$ West longitude (Ruhh Aird an t-Sionnach) at 211° True to a point on Oldany Island at $58^{\circ}16'$ North latitude and $5^{\circ}15.5'$ West longitude.

ENARD BAY

Being the area of waters lying within a straight line drawn from a point on the mainland at $58^{\circ}09.25'$ North latitude and $05^{\circ}18.5'$ West longitude (Rhuba Rodha) at 223° True to a point on the mainland at $58^{\circ}06.25'$ North latitude and $05^{\circ}26'$ West longitude (Rhu Coigach).

LITTLE LOCH BROOM AND GRUINARD BAY

Being the area of waters lying within a straight line drawn from a point on the mainland at $57^{\circ}55.75'$ North latitude and $05^{\circ}24'$ West longitude (Cailleach Head) at 263° True to a point on the mainland at $57^{\circ}55'$ North latitude and $5^{\circ}33.75'$ West longitude (Rudha Beg).

LOCH GAIRLOCH

Being the area of water lying within a straight line drawn from a point on the mainland at 57°44.8' North latitude and 05°47.2' West longitude (Big Sands) at 188° True at a point on the mainland at 57°40' North latitude and 5°48.5' West longitude (near Red Point).

THE INNER SOUND INCLUDING LOCHS TORRIDON, CARRON, KISHORN, DUICH, ALSH AND HOURN

Being the area of waters lying within a straight line drawn from a point on the mainland at 57°38.4' North latitude and 5°48.8' West longitude (Red Point) at 230° True to a point on Island of Rona 57°34.5' North latitude and 5°57.5' West longitude (Rona Light). Following the eastern coast of Rona and Raasay to a point 57°19.8' North latitude and 6°2.8' West longitude (Rudh na Cloiche); from there a straight line drawn at 180° True to meet the mainland of Skye at a point 57°18.7' North latitude and 6°2.8' West longitude thence along the eastern coast of Skye to a point 57°8.6' North latitude and 5°46.7' West longitude (Oronsay Light); from there a straight line drawn at 129° True to a point (Rudh ard Slisneach) on the mainland at 57°7' North latitude and 5°43.3' West longitude.

