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ANNEXES 1 to 11

## **ANNEXES**

**to the**

**Proposal for a Regulation of the European Parliament and of the Council**

**on the conservation of fishery resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 1224/2009 and Regulations (EU) No 1343/2011 and (EU) No 1380/2013 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005**

{SWD(2016) 56 final}  
{SWD(2016) 57 final}

## ANNEXES

### ANNEX I

#### Prohibited Species

- (a) starry ray (*Amblyraja radiata*) in Union waters of ICES divisions IIa, IIIa and VIId and ICES subarea IV;
- (b) the following species of sawfish in all Union waters:
  - (i) narrow sawfish (*Anoxypristis cuspidata*);
  - (ii) dwarf sawfish (*Pristis clavata*);
  - (iii) smalltooth sawfish (*Pristis pectinata*);
  - (iv) largetooth sawfish (*Pristis pristis*);
  - (v) green sawfish (*Pristis zijsron*);
- (c) basking shark (*Cetorhinus maximus*) and white shark (*Carcharodon carcharias*) in all waters;
- (d) common skate (*Dipturus batis*) complex (*Dipturus cf. flossada* and *Dipturus cf. intermedia*) in Union waters of ICES division IIa and ICES subareas III, IV, VI, VII, VIII, IX and X;
- (e) smooth lantern shark (*Etmopterus pusillus*) in Union waters of ICES division IIa and subarea IV and in Union waters of ICES subareas I, V, VI, VII, VIII, XII and XIV;
- (f) reef manta ray (*Manta alfredi*) in all Union waters;
- (g) giant manta ray (*Manta birostris*) in all Union waters;
- (h) the following species of Mobula rays in all Union waters:
  - (i) devil fish (*Mobula mobular*);
  - (ii) lesser Guinean devil ray (*Mobula rochebrunei*);
  - (iii) spinetail mobula (*Mobula japanica*);
  - (iv) smoothtail mobula (*Mobula thurstoni*);
  - (v) longhorned mobula (*Mobula eregoodootenkee*);
  - (vi) Munk's devil ray (*Mobula munkiana*);
  - (vii) Chilean devil ray (*Mobula tarapacana*);
  - (viii) shortfin devil ray (*Mobula kuhlii*);
  - (ix) lesser devil ray (*Mobula hypostoma*);
- (i) thornback ray (*Raja clavata*) in Union waters of ICES division IIIa;
- (j) Norwegian skate (*Raja (Dipturus) nidarosiensis*) in Union waters of ICES divisions VIa, VIb, VIIa, VIIb, VIIc, VIIE, VIIf, VIIG, VIIh and VIIk;
- (k) white skate (*Raja alba*) in Union waters of ICES subareas VI, VII, VIII, IX and X;
- (l) guitarfishes (*Rhinobatidae*) in Union waters of ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X and XII;
- (m) angel shark (*Squatina squatina*) in all Union waters;

- (n) salmon (*Salmo salar*) and sea trout (*Salmo trutta*) when fishing with any towed net within the waters outside the six-mile limit measured from Member States' baselines in ICES sub-areas I, II, IV, V, VI, VII, VIII, IX and X (Union waters);
- (o) berried female crawfish (*Palinuridae spp.*) and berried female lobster (*Homarus gammarus*) in all Union waters except when used for direct restocking or transplantation purposes;
- (p) date shell (*Lithophaga lithophaga*) and common piddock (*Pholas dactylus*) in Union waters in the Mediterranean.

## ANNEX II

### Closed areas for the protection of sensitive habitats

For the purposes of Article 13, the following restrictions on fishing activity are applicable in the areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

#### Part A

##### North Western Waters

1. It shall be prohibited to deploy bottom trawls or similar towed nets, bottom set gillnets, entangling nets or trammel nets and bottom set longlines within the following areas:

##### **Belgica Mound Province:**

- 51°29.4' N, 11°51.6' W
- 51°32.4' N, 11°41.4' W
- 51°15.6' N, 11°33.0' W
- 51°13.8' N, 11°44.4' W
- 51°29.4' N, 11°51.6' W

##### **Hovland Mound Province:**

- 52°16.2' N, 13°12.6' W
- 52°24.0' N, 12°58.2' W
- 52°16.8' N, 12°54.0' W
- 52°16.8' N, 12°29.4' W
- 52°04.2' N, 12°29.4' W
- 52°04.2' N, 12°52.8' W
- 52°09.0' N, 12°56.4' W
- 52°09.0' N, 13°10.8' W
- 52°16.2' N, 13°12.6' W

##### **North-West Porcupine Bank Area I:**

- 53°30.6' N, 14°32.4' W
- 53°35.4' N, 14°27.6' W
- 53°40.8' N, 14°15.6' W
- 53°34.2' N, 14°11.4' W
- 53°31.8' N, 14°14.4' W
- 53°24.0' N, 14°28.8' W
- 53°30.6' N, 14°32.4' W

##### **North-West Porcupine Bank Area II:**

- 53°43.2' N, 14°10.8' W
- 53°51.6' N, 13°53.4' W
- 53°45.6' N, 13°49.8' W
- 53°36.6' N, 14°07.2' W
- 53°43.2' N, 14°10.8' W

**South-West Porcupine Bank:**

- 51°54.6' N, 15°07.2' W
- 51°54.6' N, 14°55.2' W
- 51°42.0' N, 14°55.2' W
- 51°42.0' N, 15°10.2' W
- 51°49.2' N, 15°06.0' W
- 51°54.6' N, 15°07.2' W

2. All pelagic vessels fishing in the areas as described in point 1 shall:

- be on a list of authorised vessels and be issued with a fishing authorisation in accordance with Article 7 of Regulation (EC) No 1224/2009;
- carry on board exclusively pelagic gear;
- give four hours advance notification of their intention to enter an area for the protection of vulnerable deep-sea habitats to the Irish Fisheries Monitoring Centre (FMC) as defined in Article 4(15) of Regulation (EC) No 1224/2009 and at the same time notify quantities of fish retained on board;
- have an operational, fully functioning secure Vessel Monitoring System (VMS) which complies fully with the respective rules when present in any of the areas described in point 1;
- make VMS reports every hour;
- inform the Irish FMC on departure from the area and at the same time notify quantities of fish retained on board; and
- have on board trawls with a codend mesh size range from 16-79mm.

**Darwin Mounds**

It shall be prohibited to deploy any bottom trawl or similar towed nets within the following area:

- 59°54' N, 6°55' W
- 59°47' N, 6°47' W
- 59°37' N, 7°39' W
- 59°45' N, 7°39' W
- 59°54' N, 7°25' W

**Part B**

**South Western Waters**

## 1. El Cachucho

1.1 It shall be prohibited to deploy bottom trawls, bottom set gillnets, entangling nets or trammel nets and bottom set longlines within the following areas:

- 44°12' N, 5°16' W
- 44°12' N, 4°26' W
- 43°53' N, 4°26' W
- 43°53' N, 5°16' W
- 44°12' N, 5°16' W

1.2. Vessels that conducted directed fisheries with bottom set longlines in 2006, 2007 and 2008 for greater forkbeard (*Phycis blennoides*) may continue to fish in the area south of 44°00.00' N provided they have a fishing authorisation issued in accordance with Article 7 of Regulation (EC) No 1224/2009.

1.3. All vessels having obtained this fishing authorisation shall, regardless of their overall length, have in use an operational, fully functioning secure VMS which complies with the respective rules, when conducting fisheries in the area described in point 1.1.

## 2. Madeira and Canarias

It shall be prohibited to deploy bottom set gillnets, entangling nets and trammel nets at depths greater than 200m or bottom trawls or similar towed gears within the following areas:

- 27°00' N, 19°00' W
- 26°00' N, 15°00' W
- 29°00' N, 13°00' W
- 36°00' N, 13°00' W
- 36°00' N, 19°00' W

## 3. Azores

It shall be prohibited to deploy bottom set gillnets, entangling nets and trammel nets at depths greater than 200m or bottom trawls or similar towed gears within the following areas:

- 36°00' N, 23°00' W
- 39°00' N, 23°00' W
- 42°00' N, 26°00' W
- 42°00' N, 31°00' W
- 39°00' N, 34°00' W
- 36°00' N, 34°00' W

### ANNEX III

#### List of species prohibited for capture with driftnets

- Albacore : *Thunnus alalunga*
- Bluefin tuna : *Thunnus thynnus*
- Bigeye tuna : *Thunnus obesus*
- Skipjack : *Katsuwonus pelamis*
- Atlantic Bonito : *Sarda sarda*
- Yellowfin tuna : *Thunnus albacares*
- Blackfin tuna : *Thunnus atlanticus*
- Little tuna: *Euthynnus* spp.
- Southern bluefin tuna : *Thunnus maccoyii*
- Frigate tuna: *Auxis* spp.
- Oceanic sea breams : *Brama rayi*
- Marlins: *Tetrapturus* spp.; *Makaira* spp.
- Sailfishes: *Istiophorus* spp.
- Swordfishes : *Xiphias gladius*
- Sauries: *Scomberesox* spp.; *Cololabis* spp.
- Dolphinfishes: *Coryphæna* spp.
- Sharks: *Hexanchus griseus*; *Cetorhinus maximus*; *Alopiidae*; *Carcharhinidae*; *Sphymidae*; *Isuridae*; *Lamnidae*
- Cephalopods: all species

## ANNEX IV

### Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster (*Nephrops norvegicus*) shall be measured as shown in Figure 2:
  - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
  - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
3. The size of a lobster (*Homarus gammarus*) shall be measured as shown in Figure 3:
  - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
  - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
4. The size of a crawfish (Palinuridae) shall be measured as shown in Figure 4 as the length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace.
5. The size of any bivalve mollusc shall be measured as shown in Figure 5, across the longest part of the shell.

Figure 1 Fish species

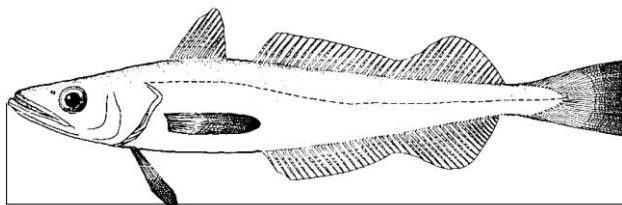




Figure 2 Norway Lobster

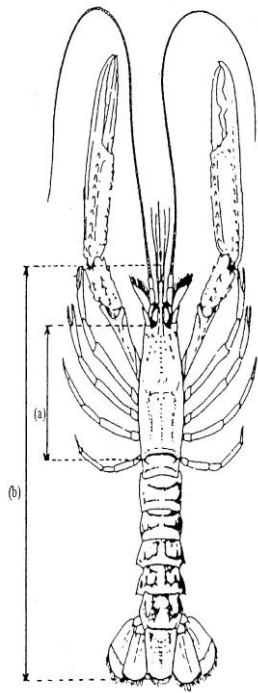


Figure 3 Lobster

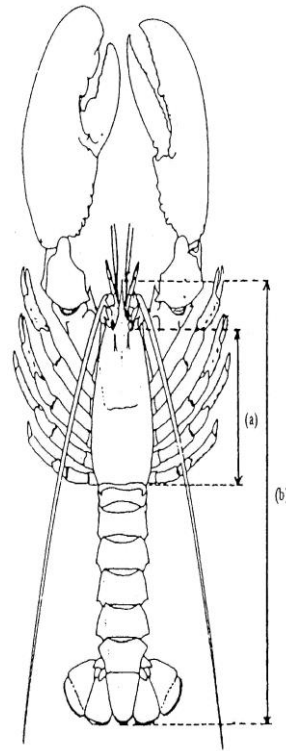


Figure 4 Crawfish

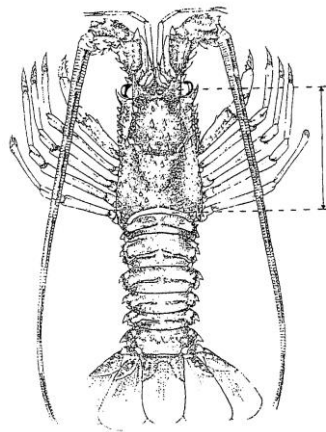
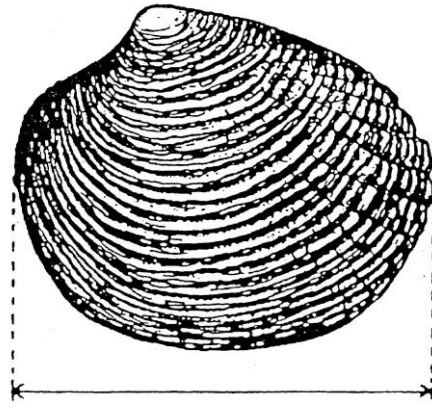


Figure 5 Bivalve molluscs



## **ANNEX V**

### **North Sea**

#### **Part A**

#### **Minimum conservation reference sizes**

Species	North Sea
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dipterygia</i> )	70 cm
Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 85 mm, Carapace length 25 mm Norway lobster tails 46 mm
Mackerel ( <i>Scomber</i> spp.)	20 cm
Herring ( <i>Clupea harengus</i> )	20 cm
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kilo
Bass ( <i>Dicentrarchus labrax</i> )	42 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm
Lobster ( <i>Homarus gammarus</i> )	87 mm
Spinous spider crab ( <i>Maia squinado</i> )	120 mm
Queen scallop ( <i>Chlamys</i> spp.)	40 mm
Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm

Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm
Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum.</i> )	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 grammes
Crawfish ( <i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp ( <i>Parapenaeus longirostirs</i> )	22mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm <sup>1,2,3</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm

Species	Skagerrak/Kattegat
Cod ( <i>Gadus morhua</i> )	30 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	27 cm
Saithe ( <i>Pollachius virens</i> )	30 cm
Pollack ( <i>Pollachius pollachius</i> )	-
Hake ( <i>Merluccius merluccius</i> )	30 cm
Megrim ( <i>Lepidorhombus</i> spp.)	25 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	23 cm
Ling ( <i>Molva molva</i> )	-
Blue ling ( <i>Molva dipterygia</i> )	-
Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 105mm Carapace length 32mm

Mackerel ( <i>Scomber</i> spp.)	20 cm
Herring ( <i>Clupea harengus</i> )	18 cm
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm
Lobster ( <i>Homarus gammarus</i> )	Total length 220mm Carapace length 78mm

<sup>1</sup> In Union waters in ICES division IVa

<sup>2</sup> In an area in ICES divisions IVb, c limited by a point at 53°28'22"N, 0°09'24"E, on the coast of England, a straight line joining this point with 53°28'22"N, 0°22'24"E, the 6 mile boundary of the United Kingdom, and a straight line connecting a point at 51°54'06"N, 1°30'30"E, with a point on the coast of England at 51°55'48"N, 1°17'00"E, a minimum conservation reference size of 115 mm shall apply.

<sup>3</sup> For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

## Part B

### Mesh sizes

#### 1. Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in the North Sea and Skagerrak/Kattegat.

Codend Mesh Size	Geographical Areas	Conditions
At least 120mm	Whole area	None
At least 80mm	Whole area	Directed fishing for <i>Nephrops norvegicus</i> or species not covered by catch limits. A square mesh panel of at least 120mm or sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.
At least 80mm	ICES Division IVb south of 54° 30'N and ICES Division IVc	Directed fishing for sole with beam trawls or [Pulse trawls]. A panel with a mesh size of at least 180mm fitted in the upper half of the anterior part of the net.
At least 32mm	Whole area	Directed fishing for <i>Pandalus borealis</i> . A sorting grid with a minimum bar spacing of 19mm or equivalent selectivity device shall be fitted.
At least 16mm	Whole area	Directed fishing for small pelagic species Directed fishing for Norway pout. A sorting grid with a bar spacing of 22mm in the Norway Pout fishery shall be fitted. Directed fishery for <i>Crangon crangon</i> A sorting grid, sieve net or equivalent selectivity device shall be fitted.
Less than	Whole area	Directed fishing for sandeel

16mm		
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## 2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the North Sea and Skagerrak/Kattegat.

Mesh Size	Geographical Areas	Conditions
At least 120mm	Whole area	None
At least 100mm	Whole area	Directed fishing for sole or species not subject to catch limits
At least 50mm	Whole area	Directed fishing for small pelagic species

## Part C

### Closed or restricted areas

#### 1. Closure of an area to protect sandeel in ICES divisions IVa and IVb

1.1 Fishing for sandeels with any towed gear with a codend mesh size less than 80mm or any static net with a mesh size of less than 100mm shall be prohibited within the geographical area bounded by the east coast of England and Scotland, and enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- the east coast of England at latitude 55°30' N
- 55° 30' N, 01° 00' W
- 58° 00' N, 01° 00' W
- 58° 00' N, 02° 00' W
- the east coast of Scotland at longitude 02°00' W.

1.2 Fisheries for scientific investigation shall be allowed in order to monitor the sandeel stock in the area and the effects of the closure.

#### 2. Closure of an area to protect juvenile plaice in ICES subarea IV

2.1 Vessels exceeding 8 metres length overall shall be prohibited from using any demersal trawl, Danish seine or similar towed gear within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84:

- (a) the area within 12 nautical miles of the coasts of France, north of latitude 51°00' N, Belgium, and the Netherlands up to latitude 53°00' N, measured from the baselines;
- (b) the area bounded by a line joining the following coordinates:
- (c) a point on the west coast of Denmark at latitude 57°00'N,
  - 57°00' N, 7°15' E

- 55°00' N, 7°15' E
- 55°00' N, 7°00' E
- 54°30' N, 7°00' E
- 54°30' N, 7°30' E
- 54°00' N, 7°30' E
- 54°00' N, 6°00' E
- 53°50' N, 6°00' E
- 53°50' N, 5°00' E
- 53°30' N, 5°00' E
- 53°30' N, 4°15' E
- 53°00' N, 4°15' E
- a point on the coast of the Netherlands at latitude 53°00'N
- the area within 12 nautical miles of the west coast of Denmark from 57°00'N as far north as the Hirtshals Lighthouse, measured from the baselines.

2.2 The following vessels are permitted to fish in the area referred to in point 2.1:

- vessels whose engine power does not exceed 221kW using demersal trawls or Danish seines;
- paired vessels whose combined engine power does not exceed 221kW at any time using demersal pair trawls;
- vessels whose engine power exceeds 221kW shall be permitted to use demersal trawls or Danish seine, and paired vessels whose combined engine power exceeds 221kW shall be permitted to use demersal pair trawls provided that such vessels do not engage in directed fishing for plaice and sole and respect the relevant mesh size rules contained in Part B of this Annex.

### **3. Restrictions on the use of beam trawls within 12 miles of the coast of the United Kingdom**

3.1 Vessels shall be prohibited from using any beam trawl inside the areas within 12 miles of the coasts of the United Kingdom, measured from the baselines of the territorial waters.

3.2 By way of derogation from point 3.1, fishing with beam trawls within the specified area shall be permitted provided that:

- The engine power of the vessels does not exceed 221Kw and overall length does not exceed 24 metres; and
- The beam length or aggregated beam length, measured as the sum of each beam is no more than 9 metres, or cannot be extended to a length greater than 9 metres, except when directed fishing for *Crangon crangon* with a minimum mesh size of less than 31 mm.

### **4. Restrictions on fishing for sprat to protect herring in ICES division IVb**

Fishing with any towed gears with a codend mesh size of less than 80mm or static nets less than 100mm mesh size shall be prohibited within the geographical areas enclosed by

sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 and during the following periods mentioned:

- from 1 January to 31 March, and from 1 October to 31 December, within ICES statistical area 39E8. For the purpose of this Regulation, that ICES area shall be the area bounded by a line due east from the United Kingdom east coast along latitude 55°00' N to a point at longitude 1°00' W, from there due north to a point at latitude 55°30' N and from there due west to the United Kingdom coast;
- from 1 January to 31 March, and from 1 October to 31 December, within the inner waters of the Moray Firth west of longitude 3°30' W, and in the inner waters of the Firth of Forth west of longitude 3° 00' W,
- from 1 July to 31 October, within the geographical area bounded by the following coordinates:
  - the west coast of Denmark at latitude 55°30' N
  - latitude 55°30' N, longitude 7°00' E
  - latitude 57°00' N, longitude 7°00' E
  - the west coast of Denmark at latitude 57°00' N

## **5. Specific provisions for the Skagerrak and Kattegat in ICES division IIIa**

5.1 It shall be prohibited to fish with beam trawls in the Kattegat.

5.2 It shall be prohibited for Union vessels to fish for, to retain on board, to tranship, to land, store, sell and display or offer for sale salmon and sea trout. When accidentally caught within any part of the Skagerrak and Kattegat situated outside the four-mile limit measured from Member States' baselines they shall be returned immediately to the sea.

5.3 It shall be prohibited to deploy towed gears with a codend mesh size of less than 32mm from 1 July to 15 September in the waters situated within three nautical miles of the baselines in the Skagerrak and Kattegat unless carrying out directed fishing for *Pandalus borealis*, or for the directed fishing for eelpout (*Zoarces viviparous*), gobies (*Gobiidae*) or scorpion fish (*Cottus spp.*) for use as bait.

## **6. Use of static nets in ICES division IVa**

6.1 It shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:

- Bottom set gillnets used for directed fishing for hake of a mesh size of at least 100mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours;
- Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.



6.2 Directed fishing for deepwater sharks as listed in Annex I of Regulation (EC) No 2347/2002<sup>1</sup> in charted depths of less than 600 metres shall be prohibited. When accidentally caught deepwater sharks shall be retained on board. Such catches shall be landed and counted against quotas. Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonne then those vessels may no longer avail of the derogations set out in point 6.1.

## **Part D**

### **Mitigation measures for sensitive species**

#### **Measures to reduce incidental catches of cetaceans in ICES division IIIa and sub-area IV**

1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in ICES sub-area IV and ICES division IIIa, without the simultaneous use of active acoustic deterrent devices.
2. Point 1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.
3. Member States shall monitor and assess, by means of scientific studies or pilot projects, the effectiveness of the mitigation devices as described in point 1 in the fisheries and areas concerned.

## **Part E**

### **Innovative fishing methods**

#### **The use of electric pulse trawls in ICES divisions IVb and IVc**

Notwithstanding Article 13, fishing with an electric pulse trawl shall be allowed in ICES divisions IVb and IVc under conditions defined in accordance with the second indent of paragraph 1 of Article 27 of this Regulation, regarding the characteristics of the pulse used and control monitoring measures in place south of a rhumb line joined by the following points, which shall be measured according to the WGS84 coordinate system:

- a point on east coast of the United Kingdom at latitude 55°N
- east to latitude 55°N, longitude 5°E
- north to latitude 56°N
- east to a point on the west coast of Denmark at latitude 56°N

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<sup>1</sup> Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks OJ L 351, 28.12.2002, p. 6

## ANNEX VI

### North Western Waters

#### Part A

#### Minimum conservation reference sizes

Species	Whole area
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dipterygia</i> )	70 cm
Norway lobster ( <i>Nephrops norvegicus</i> ) Norway Lobster tails	Total length 85 mm, Carapace length 25 mm <sup>1</sup> 46 mm <sup>2</sup>
Mackerel ( <i>Scomber</i> spp.)	20 cm
Herring ( <i>Clupea harengus</i> )	20 cm
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm <sup>3</sup>
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kilo
Bass ( <i>Dicentrarchus labrax</i> )	42 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm
Red sea-bream ( <i>Pagellus bogaraveo</i> )	33 cm
Lobster ( <i>Hommarus gammarus</i> )	87 mm
Spinous spider crab ( <i>Maia squinado</i> )	120 mm
Queen scallop ( <i>Chlamys</i> spp.)	40 mm

Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm
Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm
Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum</i> .)	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 grammes
Crawfish ( <i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp ( <i>Parapenaeus longirostris</i> )	22mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm <sup>3,4</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm <sup>5</sup>

<sup>1</sup> In ICES divisions VIa and VIIa a minimum conservation reference size of total length of 70 mm and a carapace length of 20 mm shall apply.

<sup>2</sup> In ICES divisions VIa and VIIa a minimum conservation reference size of 37 mm shall apply.

<sup>3</sup> In Union waters in ICES sub-areas, V, VI south of 56° N and VII, except ICES divisions VIIId, e, f, a minimum conservation reference size of 130 mm shall apply.

<sup>4</sup> For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

<sup>5</sup> In ICES division VIIa north of 52° 30' N, and ICES division VIIId, a minimum conservation reference size of 110 mm shall apply.

## Part B

### Mesh sizes

#### 1. Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in the North Western waters.

Codend Mesh Size	Geographical Areas	Conditions
At least	Whole area	None

120mm		
At least 100mm	Whole area	Directed fishing for hake or whiting. A square mesh panel of 100mm shall be fitted.
At least 80mm	Whole area	Directed fishing for <i>Nephrops norvegicus</i> or species not covered by catch limits. A square mesh panel of at least 120mm or sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.
At least 80mm	ICES divisions VIIa, b, d, e, h and j	Directed fishing for sole with beam trawls. A panel with a mesh size of at least 180mm fitted in the upper half of the anterior part of the net fitted.
At least 16mm	Whole area	Directed fishing for small pelagic species

## 2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in North Western waters.

Mesh Size	Geographical Areas	Conditions
At least 120mm <sup>1</sup>	Whole area	None
At least 100mm	Whole area	Directed fishing for sole or species not subject to catch limits
At least 50mm	Whole area	Directed fishing for small pelagic species

## Part C

### Closed or restricted areas

#### 1. Closed area for the conservation of cod in ICES division VIa

From 1 January to 31 March, and from 1 October to 31 December each year, it shall be prohibited to conduct any fishing activity using any towed gears or static nets in the area enclosed by sequentially joining with rhumb lines the following co-ordinates, measured according to the WGS84 coordinate system:

- 55°25' N, 7°07' W
- 55°25' N, 7°00' W
- 55°18' N, 6°50' W
- 55°17' N, 6°50' W
- 55°17' N, 6°52' W
- 55°25' N, 7°07' W

#### 2. Closed area for the conservation of cod in ICES divisions VIIf and g

2.1 From 1 February until 31 March, it shall be prohibited to conduct any fishing activity in the following ICES statistical rectangles: 30E4, 31E4, 32E3. This prohibition shall not apply within 6 nautical miles from the baseline.

- 2.2 It shall be permitted to conduct fishing activities using pots and creels within the specified areas and time periods, provided that:
- (i) no fishing gear other than pots and creels are carried on board, and
  - (ii) bycatches of a species subject to the landing obligation shall be landed and counted against quotas.
- 2.3 Directed fishing for small pelagic species with towed gears with a mesh size less than 50 mm shall be permitted, provided that:
- (i) no net of mesh size greater than or equal to 50 mm is carried on board, and
  - (ii) bycatches of a species subject to the landing obligation shall be landed and counted against quotas.

### **3. Closed area for the conservation of cod in ICES division VIIa**

3.1 In the period from 14 February to 30 April it shall be prohibited to use any demersal trawl, seine or similar towed net, any gillnet, entangling net or trammel net or any fishing gear incorporating hooks within that part of ICES division VIIa enclosed by the east coast of Ireland and the east coast of Northern Ireland and straight lines sequentially joining the following geographical coordinates, measured according to the WGS84 coordinate system

- a point on the east coast of the Ards peninsula in Northern Ireland at 54°30'N
- 54°30' N, 04°50' W
- 54°15' N, 04°50' W
- a point on the east coast of Ireland at 53° 15' N

3.2 By way of derogation from point 1, within the area and time period referred to therein the use of demersal trawls shall be permitted provided such trawls are fitted with selective devices that have been assessed by the Scientific, Technical and Economic Committee for Fisheries (STECF). Where bycatches of cod caught by the vessels of any Member State operating within the areas referred to in point 3.1 exceed 10 tonnes then those vessels may no longer fish within that area.

### **4. Rockall haddock box in ICES sub-area VI**

All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- 57°00' N, 15°00' W
- 57°00' N, 14°00' W
- 56°30' N, 14°00' W
- 56°30' N, 15°00' W
- 57°00' N, 15°00' W

### **5. Closed area for the conservation of Norway lobster in ICES divisions VIIc and VIIIk**

5.1 Directed fishing for Norway lobster (*Nephrops norvegicus*) and associated species (i.e. cod, megrim, anglerfish, haddock, whiting, hake, plaice, pollack, saithe, skates and rays, common sole, tusk, blue ling, ling and spurdog) shall be prohibited from 1 May to 31 May

annually within the geographical area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 coordinate system:

- 52°27' N, 12°19' W
- 52°40' N, 12°30' W
- 52°47' N, 12°39,600' W
- 52°47' N, 12°56' W
- 52°13,5' N, 13°53,830'W
- 51°22' N, 14°24' W
- 51°22' N, 14°03' W
- 52°10' N, 13°25' W
- 52°32' N, 13°07,500' W
- 52°43' N, 12°55'W
- 52°43' N, 12°43' W
- 52°10' N, 13°25' W
- 52°38,800' N, 12°37' W
- 52°27' N, 12°23' W
- 52°27' N, 12°19' W

5.2 Transit through the Porcupine Bank while carrying on board the species referred to in point 5.1 shall be permitted in accordance with Article 50(3), (4) and (5) of Regulation (EC) No 1224/2009.

## **6. Special rules for the protection of blue ling in ICES division VIa**

6.1 From 1 March to 31 May each year directed fishing for blue ling shall be prohibited in the areas of ICES division VIa enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

Edge of Scottish continental shelf

- 59°58' N, 07°00' W
- 59°55' N, 06°47' W
- 59°51' N, 06°28' W
- 59°45' N, 06°38' W
- 59°27' N, 06°42' W
- 59°22' N, 06°47' W
- 59°15' N, 07°15' W
- 59°07' N, 07°31' W
- 58°52' N, 07°44' W
- 58°44' N, 08°11' W
- 58°43' N, 08°27' W
- 58°28' N, 09°16' W

- 58°15' N, 09°32' W
- 58°15' N, 09°45' W
- 58°30' N, 09°45' W
- 59°30' N, 07°00' W
- 59°58' N, 07°00' W

Edge of Rosemary bank

- 60°00' N, 11°00' W
- 59°00' N, 11°00' W
- 59°00' N, 09°00' W
- 59°30' N, 09°00' W
- 59°30' N, 10°00' W
- 60°00' N, 10°00' W
- 60°00' N, 11°00' W

Not including the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- 59°15' N, 10°24' W
- 59°10' N, 10°22' W
- 59°08' N, 10°07' W
- 59°11' N, 09°59' W
- 59°15' N, 09°58' W
- 59°22' N, 10°02' W
- 59°23' N, 10°11' W
- 59°20' N, 10°19' W
- 59°15' N, 10°24' W

6.2 A bycatch of blue ling up to a threshold of 6 tonnes may be retained on board and landed. Once a vessel reaches this 6 tonne threshold of blue ling:

- (a) it shall immediately cease fishing and exit the area in which it is present;
- (b) it may not re-enter either of the areas until its catch has been landed;
- (c) it may not return to the sea any quantity of blue ling.

6.3 From 15 February to 15 April each year, it shall be prohibited to use bottom trawls, longlines and static nets within an area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- 60°58.76' N, 27°27.32' W
- 60°56.02' N, 27°31.16' W
- 60°59.76' N, 27°43.48' W
- 61°03.00' N, 27°39.41' W
- 60°58.76' N, 27°27.32' W

## **7. Restrictions on fishing for mackerel in ICES divisions VII e,f,g,h**

7.1 Directed fishing for mackerel with towed gears with a codend mesh size of less than 80mm or with purse seines where more than 50 tonnes of the retained catch on board is made up of mackerel shall be prohibited within the area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- a point on the south coast of the United Kingdom at 02°00' W
- 49° 30' N, 2° 00' W
- 49° 30' N, 7° 00' W
- 52° 00' N, 7° 00' W
- a point on the west coast of the United Kingdom at 52° 00' N.

7.2 It shall be permitted to fish within the area defined in point 1 with:

- static nets and/or hand lines;
- demersal trawls, Danish seines or other similar towed nets, with a mesh size greater than 80mm;

7.3 Vessels which are not equipped for fishing and to which mackerel are being transhipped shall be permitted within the area defined in point 7.1.

## **8. Restrictions on the use of beam trawls within 12 miles of the coast of the United Kingdom**

8.1 The use of any beam trawl of mesh size less than 100mm shall be prohibited in ICES sub-area Vb and ICES sub-area VI north of latitude 56°N.

8.2. Vessels shall be prohibited from using any beam trawl inside the areas within 12 miles of the coasts of the United Kingdom and Ireland, measured from the baselines from which the territorial waters are measured.

8.3. Fishing with beam trawls within the specified area shall be permitted provided:

- The engine power of the vessels does not exceed 221Kw and whose length does not exceed 24 metres; and the
- The beam length or aggregated beam length, measured as the sum of each beam is no more than 9 metres, or cannot be extended to a length greater than 9 metres, except when directed fishing for *Crangon crangon* with a codend mesh size of less than 31 millimetres.

## **9. Use of static nets in ICES divisions Vb, VIa, VII b,c,j,k**

9.1. It shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:

- Bottom set gillnets used for directed fishing for hake with a mesh size of at least 120mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours.
- Entangling nets used for directed fishing for anglerfish with a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.



9.2. Directed fishing for deepwater sharks as listed in Annex I of Regulation (EC) No 2347/2002 in charted depths of less than 600 metres shall be prohibited. When accidentally caught deepwater sharks shall be retained on board. Such catches shall be landed and counted against quotas. Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonnes then vessels may no longer avail of the derogations as described in point 9.1.

## **Part D**

### **Mitigation measures for sensitive species**

#### **1. Measures to reduce incidental catches of cetaceans in ICES divisions VIa and VII d, e, f, g, h and j**

1.1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in ICES divisions VIa and VII d, e, f, g, h and j, without the simultaneous use of active acoustic deterrent devices.

1.2. Point 1.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

1.3. Member States shall monitor and assess, by means of scientific studies or pilot projects, the effectiveness of the use of mitigation devices in the fisheries and areas concerned.

#### **2. Measures to reduce incidental catches of seabirds in ICES sub-areas VI and VII**

Vessels fishing with longlines in ICES sub-areas VI and VII shall use bird scaring lines and/or weighted lines and where practical shall set longline gear during the hours of darkness with the minimum of deck lighting necessary for safety.

**ANNEX VII****South Western Waters****Part A****Minimum conservation reference sizes**

Species	Whole area
Cod ( <i>Gadus morhua</i> )	35 cm
Haddock ( <i>Melanogrammus aeglefinus</i> )	30 cm
Saithe ( <i>Pollachius virens</i> )	35 cm
Pollack ( <i>Pollachius pollachius</i> )	30 cm
Hake ( <i>Merluccius merluccius</i> )	27 cm
Megrim ( <i>Lepidorhombus</i> spp.)	20 cm
Sole ( <i>Solea</i> spp.)	24 cm
Plaice ( <i>Pleuronectes platessa</i> )	27 cm
Whiting ( <i>Merlangius merlangus</i> )	27 cm
Ling ( <i>Molva molva</i> )	63 cm
Blue ling ( <i>Molva dipterygia</i> )	70 cm
Norway lobster ( <i>Nephrops norvegicus</i> )	Total length 70 mm, Carapace length 20 mm
Norway Lobster tails	37 mm
Mackerel ( <i>Scomber</i> spp.)	20 cm
Herring ( <i>Clupea harengus</i> )	20 cm
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm <sup>1</sup>
Anchovy ( <i>Engraulis encrasicolus</i> )	12 cm or 90 individuals per kilo <sup>2</sup>
Bass ( <i>Dicentrarchus labrax</i> )	42 cm
Sardine ( <i>Sardina pilchardus</i> )	11 cm
Red sea-bream ( <i>Pagellus bogaraveo</i> )	33 cm
Lobster ( <i>Hommarus gammarus</i> )	87 mm
Spinous spider crab ( <i>Maia squinada</i> )	120 mm
Queen scallop ( <i>Chlamys</i> spp.)	40 mm

Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 mm
Carpetshell ( <i>Venerupis pullastra</i> )	38 mm
Short-necked clam ( <i>Venerupis philippinarum</i> )	35 mm
Clam ( <i>Venus verrucosa</i> )	40 mm
Hard clam ( <i>Callista chione</i> )	6 cm
Razor clam ( <i>Ensis</i> spp.)	10 cm
Surf clams ( <i>Spisula solida</i> )	25 mm
Donax clams ( <i>Donax</i> spp.)	25 mm
Bean solen ( <i>Pharus legumen</i> )	65 mm
Whelk ( <i>Buccinum undatum</i> .)	45 mm
Octopus ( <i>Octopus vulgaris</i> )	750 grammes <sup>3</sup>
Crawfish ( <i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp ( <i>Parapenaeus longirostris</i> )	22mm (carapace length)
Edible crab ( <i>Cancer pagurus</i> )	140 mm (Regions 1 and 2 North of 56° N, ICES Division VII d, e, f) <sup>4,5</sup>
Scallop ( <i>Pecten maximus</i> )	100 mm

<sup>1</sup> No minimum conservation reference size shall apply to horse mackerel (*Trachurus pictaratus*) caught in waters adjacent to the Azores islands and under the sovereignty or jurisdiction of Portugal.

<sup>2</sup> In ICES IX and CECAF area 34.1.2 a minimum conservation reference size of 9 cm shall apply.

<sup>3</sup> In all waters in that part of the eastern central Atlantic comprising divisions 34.1.1, 34.1.2 and 34.1.3 and sub-area 34.2.0 of fishing zone 34 of the CECAF region a gutted weight of 450 grammes shall apply.

<sup>4</sup> In Union waters in ICES sub-areas VIII and IX a minimum conservation reference size of 130 mm shall apply.

<sup>5</sup> For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

## Part B

### Mesh sizes

#### 1. Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in South Western waters.

Codend Mesh Size	Geographical Areas	Conditions

At least 100mm	Whole area	None
At least 70mm	Whole area	Directed fishing for <i>Nephrops norvegicus</i> . A square mesh of at least 100mm or equivalent selectivity device shall be fitted.
At least 65mm	ICES sub-area X; CECAF Divisions 34.1.1, 34.1.2, 34.1.3 and sub-area 34.2.0 of fishing zone 34	None
At least 55mm	Whole area	Directed fishing for species not covered by catch limits or red sea bream
At least 55mm	ICES division IXa east of longitude 7°23'48"W	Directed fishing for crustaceans)
At least 16mm	Whole area	Directed fishing for small pelagic species

## 2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in South Western waters.

Mesh Size	Geographical Areas	Conditions
At least 100mm	Whole area	None
At least 80mm	Whole area	Directed fishing for species not subject to catch limits
At least 50mm	Whole area	Directed fishing for small pelagic species

## Part C

### Closed or restricted areas

#### 1. Closed area for the conservation of hake in ICES division IXa

Fishing with any trawl, Danish seine or similar towed net shall be prohibited within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- (a) from 1 October to 31 January in the following year, within the geographical area bounded by straight lines sequentially joining the following coordinates:
  - 43°46,5'N, 07°54,4'W
  - 44°01,5'N, 07°54,4'W
  - 43°25,0'N, 09°12,0'W
  - 43°10,0'N, 09°12,0'W

- (b) from 1 December to the last day of February in the following year, within the geographical area bounded by straight lines sequentially joining the following coordinates:
- a point on the west coast of Portugal at 37°50'N
  - 37°50'N, 09°08'W
  - 37°00'N, 9°07'W
  - a point on the west coast of Portugal at 37°00'N

## **2. Closed areas for the conservation of Norway lobster in ICES division IXa**

2.1. Directed fishing for Norway lobster (*Nephrops norvegicus*) with any bottom trawl, Danish seine or similar towed net or with creels shall be prohibited, within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

(a) from 1 June to 31 August:

- 42°23' N, 08°57' W
- 42°00' N, 08°57' W
- 42°00' N, 09°14' W
- 42°04' N, 09°14' W
- 42°09' N, 09°09' W
- 42°12' N, 09°09' W
- 42°23' N, 09°15' W
- 42°23' N, 08°57' W

(b) from 1 May to 31 August:

- 37°45' N, 09°00' W
- 38°10' N, 09°00' W
- 38°10' N, 09°15' W
- 37°45' N, 09°20' W

2.2. It shall be permitted to fish with bottom trawls or similar towed nets or creels in the geographical areas and during the period as described in point 2.1(b) provided that all bycatches of Norway lobster (*Nephrops norvegicus*) shall be landed and counted against quotas.

2.3. Directed fishing for Norway lobster (*Nephrops norvegicus*) in the geographical areas and outside the periods referred to in point 2.1, shall be prohibited. Bycatches of Norway lobster (*Nephrops norvegicus*) shall be landed and counted against quotas.

## **3. Restrictions on directed fishing for anchovy in ICES division VIIIc**

3.1. Directed fishing for anchovy using pelagic trawls in ICES division VIIIc shall be prohibited.

3.2. The carrying on board of pelagic trawls and purse seines simultaneously within ICES division VIIIc shall be prohibited.

#### **4. Use of static nets in ICES sub-areas VIII, IX, X, and XII east of 27°W**

4.1. It shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:

- Bottom set gillnets used for directed fishing for hake of a mesh size of at least 100mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours.
- Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.
- Trammel nets in ICES sub-area IX used for directed fishing for anglerfish of a mesh size of at least 220mm and no more than 30 meshes deep, where the total length of nets deployed does not exceed 20km per vessel and the maximum soak time is 72 hours.

4.2. Directed fishing for deepwater sharks as listed in Annex I of Regulation (EC) No 2347/2002 in charted depths of less than 600 metres shall be prohibited. When accidentally caught deepwater sharks shall be retained on board. Such catches shall be landed and counted against quotas. Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonnes then those vessels may no longer avail of the derogations as described in point 1.

### **Part D**

#### **Mitigation measures for sensitive species**

##### **1. Measures to reduce incidental catches of cetaceans in ICES sub-areas VIII and IXa**

1.1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in ICES sub area VIII and division IXa, without the simultaneous use of active acoustic deterrent devices.

1.2. Point 1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

1.3. Member States shall monitor and assess, by means of scientific studies or pilot projects, the effectiveness of the mitigation devices as described in point 1.1 in the fisheries and areas concerned.

##### **2. Measures to reduce incidental catches of seabirds in ICES sub-areas VIIIa and b**

Vessels fishing with longlines in ICES sub-areas VIIIa and b shall use at least two of the following mitigation measures: bird scaring lines, weighted lines, setting the longline gear during the hours of darkness with the minimum of deck lighting necessary for safety.

## **ANNEX VIII**

### **Baltic Sea**

#### **Part A**

##### **Minimum conservation reference sizes**

Species	Geographical Areas	Minimum Conservation Reference Size
Cod ( <i>Gadus morhua</i> )	Sub-divisions 22-32	35cm
Plaice ( <i>Pleuronectes platessa</i> )	Subdivisions 22 to 32	25 cm
Salmon ( <i>Salmo salar</i> )	Subdivisions 22 to 30 and 32 Subdivision 31	60 cm 50 cm
Flounder ( <i>Platichthys flesus</i> )	Subdivisions 22 to 25 Subdivisions 26 to 28 Subdivisions 29 to 32, south of 59°	23 cm 21 cm 18 cm
Turbot ( <i>Psetta maxima</i> )	Subdivision 22 to 32	30 cm
Brill ( <i>Scophthalmus rhombus</i> )	Subdivisions 22 to 32	30 cm
Eel ( <i>Anguilla Anguilla</i> )	Subdivisions 22 to 32	35 cm
Sea trout ( <i>Salmo trutta</i> )	Subdivisions 22 to 25 and 29 to 32 Subdivision 26 to 28	40 cm 50 cm

#### **Part B**

##### **Mesh sizes**

### **1. Baseline mesh sizes for towed gears**

The following codend mesh sizes shall apply in the Baltic Sea:

Mesh Size	Geographical Areas	Conditions
At least 120mm	Whole area	Codend and extension piece shall be constructed in T90 netting
At least 105mm	Whole area	A Bacoma exit window with a mesh size of at least 110mm shall be fitted
At least 16mm	Whole area	Directed fishing for small pelagic species

## 2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the Baltic Sea:

Mesh Size	Geographical Areas	Conditions <sup>1,2</sup>
At least 157mm	Whole area	Directed fishing for salmon
At least 110mm	Whole area	Directed fishing for cod and flatfish species
Less than 110mm	Whole area	Directed fishing for small pelagic species

<sup>1</sup> The use of gillnets, entangling nets or trammel nets of more than 9km by vessels with an overall length of less than 12 metres and 21km for vessels of overall length more than 12 metres shall be prohibited.

<sup>2</sup> The maximum immersion time for all the static nets referred to in point 1 is 48 hours except when fishing under ice cover.

## Part C

### Closed or restricted areas

#### 1. Restrictions on fishing with towed gears

It shall be prohibited throughout the year, to fish with any towed gear in the geographical area enclosed by sequentially joining with rhumb lines the following positions, measured according to the WGS84 coordinate system:

- 54°23' N, 14°35' E
- 54°21' N, 14°40' E
- 54°17' N, 14°33' E
- 54°07' N, 14°25' E
- 54°10' N, 14°21' E
- 54°14' N, 14°25' E
- 54°17' N, 14°17' E
- 54°24' N, 14°11' E
- 54°27' N, 14°25' E
- 54°23' N, 14°35' E

#### 2. Restrictions on fishing for salmon and sea trout

2.1 Directed fishing for salmon (*Salmo salar*) or sea trout (*Salmo trutta*) shall be prohibited:

- (a) from 1 June to 15 September in waters of subdivisions 22 to 31;
- (b) from 15 June to 30 September in waters of subdivision 32.

2.2. The area of prohibition during the closed season shall be beyond four nautical miles measured from the baselines.



2.3. The retention on board of salmon (*Salmo salar*) or sea trout (*Salmo trutta*) caught with trap-nets shall be permitted.

### **3. Specific measures for the Gulf of Riga**

3.1. In order to fish in subdivision 28-1, vessels shall hold a fishing authorisation issued in accordance with Article 7 of Regulation (EC) No 1224/2009.

3.2. Member States shall ensure that vessels, to which the fishing authorisations referred to in point 3.1 has been issued, are included in a list, containing their name and internal registration number, made publicly available via an Internet website, the address of which shall be provided to the Commission and Member States by each Member State.

3.3. Vessels included in the list shall satisfy the following conditions:

- (a) the total engine power (kW) of the vessels within the lists must not exceed that observed for each Member State in the years 2000-2001 in subdivision 28-1; and
- (b) the engine power of a vessel must not exceed 221 kilowatts (kW) at any time.

3.4. Any individual vessel on the list referred to in point 3.2 may be replaced by another vessel or vessels, provided that:

- (a) such replacement does not lead to an increase in the total engine power as indicated in point 3.3(a) for the Member State concerned; and
- (b) the engine power of any replacement vessel does not exceed 221 kW at any time.

3.5. An engine of any individual vessel included in the list referred to in point 3.2 may be replaced, provided that:

- (a) the replacement of an engine does not lead to the vessel's engine power exceeding 221 kW at any time; and
- (b) the power of the replacement engine is not such that replacement leads to an increase in the total engine power as indicated in point 3.3(a) for the Member State concerned.

3.6. In subdivision 28-1, fishing with trawls shall be prohibited in waters of less than 20 metres in depth.

### **4. Periods when fishing with certain types of gears is not allowed**

4.1. Fishing with any towed gear with a codend mesh size greater than or equal to 90mm, or static nets with a mesh size greater than or equal to 90 mm, or with bottom set lines, longlines except drifting longlines, handlines and jigging equipment shall be prohibited in the following areas:

- (a) from 15 February to 30 March in ICES Subdivisions 22 to 24; and
- (b) from 1 July to 31 August in ICES Subdivisions 25 to 28.

4.2. Directed fishing for cod using drifting longlines within the areas and during the periods referred to in point 4.1 shall be prohibited.

4.3. By way of derogation from point 4.1, fishing vessels with an overall length of less than 12 metres shall be permitted to use up to five days per month divided into periods of at least two consecutive days from the maximum number of days absent from port during the

closed periods referred to in point 1. During these days, fishing vessels may only immerse their nets and land fish from 06.00 on Monday to 18.00 on Friday of the same week.

## **5. Area restrictions on fishing**

5.1. It shall be prohibited to conduct any fishing activity from 1 May to 31 October within the areas enclosed by sequentially joining with rhumb lines the following positions, measured according to the WGS84 coordinate system:

(a) Area 1:

- 55°45' N, 15°30' E
- 55°45' N, 16°30' E
- 55°00' N, 16°30' E
- 55°00' N, 16°00' E
- 55°15' N, 16°00' E
- 55°15' N, 15°30' E
- 55°45' N, 15°30' E

(b) Area 2:

- 55°00' N, 19°14' E
- 54°48' N, 19°20' E
- 54°45' N, 19°19' E
- 54°45' N, 18°55' E
- 55°00' N, 19°14' E

(c) Area 3:

- 56°13' N, 18°27' E
- 56°13' N, 19°31' E
- 55°59' N, 19°13' E
- 56°03' N, 19°06' E
- 56°00' N, 18°51' E
- 55°47' N, 18°57' E
- 55°30' N, 18°34' E
- 56°13' N, 18°27' E

5.2. Directed fishing for salmon with gillnets, entangling nets and trammel nets of a mesh size equal to or larger than 157 mm or with drifting lines shall be permitted. No other gear shall be kept on board.

5.3. Directed fishing for cod with the gears specified in point 5.2 shall be prohibited.

## **6. Restrictions on fishing for flounder and turbot**

6.1. The retention on board of the following species of fish shall be prohibited where they are caught within the geographical areas and during the periods mentioned below:

Species	Geographical Areas	Period
Flounder	Subdivisions 26, 27, 28 and 29 south of 59° 30' N Subdivision 32	15 February to 15 May 15 February to 31 May
Turbot	Subdivisions 25, 26 and 28 south of 56° 50' N	1 June to 31 July

6.2. Directed fishing with trawls, Danish seines or similar gears with a codend mesh size equal to or greater than 105 mm or with gillnets, entangling nets or trammel nets with a mesh size equal to or greater than 100 mm shall be prohibited. By-catches of flounder and turbot may be retained on board and landed within a limit of 10 % by live weight of the total catch retained on board.

## **Part D**

### **Mitigation measures for sensitive species**

#### **1. Measures to reduce incidental catches of cetaceans**

1.1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in the Baltic Sea, without the simultaneous use of active acoustic deterrent devices.

1.2. Point 1.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

1.3. Member States shall take monitor and assess, by means of scientific studies or pilot projects, the effectiveness of acoustic deterrent devices in the fisheries and areas concerned.

#### **2. Special measures for the protection of eels**

The retention on board of eels caught with any active gear shall be prohibited. When accidentally caught, eels shall not be harmed and shall be promptly released.

**ANNEX IX****Mediterranean Sea****Part A****Minimum conservation reference sizes**

Species	Whole Area
Bass ( <i>Dicentrarchus labrax</i> )	25 cm
Annular sea bream ( <i>Diplodus annularis</i> )	12 cm
Sharpsnout sea-bream ( <i>Diplodus puntazzo</i> )	18 cm
White sea-bream ( <i>Diplodus sargus</i> )	23 cm
Two-banded sea-bream ( <i>Diplodus vulgaris</i> )	18 cm
European anchovy ( <i>Engraulis encrasicolus</i> )	9 cm <sup>1</sup>
Groupers ( <i>Epinephelus</i> spp.)	45 cm
Stripped sea-bream ( <i>Lithognathus mormyrus</i> )	20 cm
Hake ( <i>Merluccius merluccius</i> )	20 cm
Red mullets ( <i>Mullus</i> spp.)	11 cm
Spanish sea-bream ( <i>Pagellus acarne.</i> )	17 cm
Red sea-bream ( <i>Pagellus bogaraveo</i> )	33 cm
Wreckfish ( <i>Polyprion americanus.</i> )	45 cm
European sardine ( <i>Sardina pilchardus</i> )	11 cm <sup>2</sup>
Mackerel ( <i>Scomber</i> spp.)	18 cm
Common sole ( <i>Solea vulgaris</i> )	20 cm
Gilt-head sea-bream ( <i>Sparus aurata.</i> )	20 cm
Horse mackerel ( <i>Trachurus</i> spp.)	15 cm
Norway lobster ( <i>Nephrops norvegicus</i> )	20 mm CL <sup>3</sup> 70 mm TL <sup>3</sup>
Lobster ( <i>Homarus gammarus</i> )	105 mm CL <sup>3</sup> 300 mm TL <sup>3</sup>

Crawfish ( <i>Palinuridae</i> )	90 mm CL <sup>3</sup>
Deep water rose shrimp ( <i>Parapenaeus longirostris</i> )	20 mm CL <sup>3</sup>
Scallop ( <i>Pecten jacobaeus</i> )	10 cm
Carpet Clans ( <i>Venerupis spp.</i> )	25 mm
Venus shells ( <i>Venus spp.</i> )	25 mm

<sup>1</sup> Member States may convert the minimum conservation reference size into 110 specimens per kg.

<sup>2</sup> Member States may convert the minimum conservation reference size into 55 specimens per kg.

<sup>3</sup> CL – carapace length; TL – total length.

## Part B

### Mesh sizes

#### 1. Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in the Mediterranean.

Codend Mesh Size <sup>1</sup>	Geographical Areas	Conditions
At least 40mm square mesh codend <sup>2</sup>	Whole area	A diamond mesh codend of 50mm <sup>2</sup> may be used as an alternative to the 44 mm square mesh cod end at the duly justified request of the vessel owner
At least 20mm	Whole area	Directed fishing for sardine and anchovy
At least 14mm	Whole area	Directed fishing for small pelagic species with encircling nets

<sup>1</sup> It shall be prohibited to use netting with a twine thickness greater than 3mm or with multiple twines; or netting with a twine thickness of greater than 6mm in any part of a bottom trawl.

<sup>2</sup> Only one type of net (either 40mm square mesh or 50mm diamond mesh) is allowed to be kept on board or deployed.

#### 2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the Mediterranean.

Mesh Size	Geographical Areas	Conditions
At least 16mm	Whole area	None

## Part C

### Restrictions on the use of fishing gears

## **1. Restrictions on the use of dredges**

The maximum breadth of dredges shall be 3 metres, except for dredges used for directed fishing of sponges.

## **2. Restrictions on the use of purse seines**

The length of purse seines and seines without purse lines shall be restricted to 800 metres with a drop of 120 metres, except in the case of purse seines used for directed fishing of tuna.

## **3. Restrictions on the use of static nets**

3.1. It shall be prohibited to use the following static nets:

- (a) A trammel net with a drop of more than 4 metres
- (b) A bottom set gillnet or combined trammel and gillnet with a drop of more than 10 metres except when such nets are shorter than 500 metres, where a drop of not more than 30 metres is permitted.

3.2. It shall be prohibited to use any gillnet, entangling net or trammel net constructed with a twine thickness greater than 0,5mm.

3.3. It shall be prohibited to have on board or set more than 2,500 metres of combined gillnets and trammel nets and 6,000 metres of any gillnet, entangling net or trammel net.

## **4. Restrictions on the use of longlines**

4.1. It shall be prohibited for vessels fishing with bottom-set longlines to have on board or deploy more than 5,000 hooks except for vessels undertaking fishing trips of more than 3 days which may have on board or deploy no more than 7,000 hooks.

4.2. It shall be prohibited for vessels fishing with surface-set longlines to have on board or deploy more than the number of hooks per vessel as follows:

- (a) 2,000 hooks when directed fishing for bluefin tuna;
- (b) 3,500 hooks when directed fishing for swordfish; and
- (c) 5,000 hooks when directed fishing for albacore tuna.

4.3. Each vessel undertaken fishing trips longer than 2 days may have on board an equivalent number of spare hooks.

## **5. Restrictions on the use of pots and creels**

It shall be prohibited to have on board or set more than 250 pots or creels per vessel to catch deepwater crustacean (including *Plesionika spp.*, *Pasiphaea spp.* or similar species).

## **6. Restrictions on the directed fishing for red sea bream**

The directed fishing for red sea bream (*Pagellus bogaraveo*) with the following gears shall be prohibited:

- gillnets, entangling nets or trammel nets having a mesh size of less than 100mm;
- longlines with hooks of a total length of less than 3,95cm and a width of less than 1,65 cm.

## **Part D**

## **Mitigation measures for sensitive species**

### **1. Measures to reduce incidental catches of cetaceans**

1.1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in the Mediterranean Sea without the simultaneous use of active acoustic deterrent devices.

1.2. Point 1.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

1.3. Member States shall monitor and assess, by means of scientific studies or pilot projects, the effectiveness of the mitigation devices as described in point 1.1 in the fisheries and areas concerned.

### **2. Measures to reduce incidental catches of seabirds**

Vessels fishing with longlines in the Mediterranean Sea shall use at least two of the following mitigation measures: bird scaring lines, weighted lines, setting the longline gear during the hours of darkness with the minimum of deck lighting necessary for safety.

## **ANNEX X**

### **Black Sea**

#### **Part A**

##### **Minimum conservation reference sizes**

Species	Minimum Conservation Reference Size
Turbot ( <i>Psetta maxima</i> )	45 cm

#### **Part B**

##### **Mesh sizes**

#### **1. Baseline mesh sizes for towed gears**

The following codend mesh sizes shall apply in the Black Sea:

Codend Mesh Size	Geographical Areas	Conditions
At least 50mm	Whole area	40mm square mesh codends may be used as an alternative

#### **2. Baseline mesh sizes for static nets**

The following mesh sizes for static nets shall apply in the Black Sea:

Mesh Size	Geographical Areas	Conditions
At least 400mm	Whole area	Directed fishing for turbot

#### **Part C**

##### **Closed or restricted areas**

##### **Seasonal Closure to protect turbot**

Directed fishing, transshipment, landing and first sale of turbot shall be permitted from 15 April to 15 June annually in Union waters of the Black Sea.

#### **Part D**

##### **Mitigation measures for sensitive species and habitats**



## **1. Measures to reduce incidental catches of cetaceans**

1.1. It shall be prohibited for vessels of 12 metres or over in overall length to deploy static nets in ICES sub area VIII and IX, without the simultaneous use of active acoustic deterrent devices.

1.2. Point 1.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

1.3. Member States shall monitor and assess, by means of scientific studies or pilot projects, the effectiveness of the mitigation devices as described in point 1.1 in the fisheries and areas concerned.

## **2. Restrictions on the use of trawls and dredges**

The use of trawls or dredges at depths beyond 1000 metres shall be prohibited.

## ANNEX XI

### Outermost Regions

#### Part A

##### Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in the Outermost Regions.

Codend Mesh Size	Geographical Areas	Conditions
At least 100mm	All waters off the coast of the French department of Guyana that come under the sovereignty or jurisdiction of France	None
At least 45mm	All waters off the coast of the French department of Guyana that come under the sovereignty or jurisdiction of France	Directed fishing for shrimp ( <i>Penaeus subtilis</i> , <i>Penaeus brasiliensis</i> , <i>Xiphopenaeus kroyeri</i> ).
At least 14mm	Whole area	Directed fishing for small pelagic species with encircling nets

#### Part B

##### Closed or restricted areas

##### Restrictions on fishing activities in the 24-mile zone around Mayotte

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish within 24 miles of the coasts of Mayotte, measured from the baselines from which territorial waters are measured.