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EUROPEAN UNION

THE EUROPEAN PARLIAMENT **THE COUNCIL**

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on certain provisions for fishing in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area (recast)

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REGULATION (EU) 2023/…
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of …

on certain provisions for fishing
in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area
(recast)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Acting in accordance with the ordinary legislative procedure[2],

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[1] OJ C 517, 22.12.2021, p. 122.

[2] Position of the European Parliament of 12 July 2023 (not yet published in the Official Journal) and decision of the Council of …

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Whereas:

(1) Regulation (EU) No 1343/2011 of the European Parliament and of the Council[1] has been substantially amended several times[2]. Since further amendments are to be made, that Regulation should be recast in the interests of clarity.

(2) One of the objectives of the common fisheries policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and the Council[3], is to ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.

(3) The European Community acceded to the Agreement for the establishment of the General Fisheries Commission for the Mediterranean (GFCM Agreement) pursuant to Council Decision 98/416/EC[4].

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[1] Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L347 30.12.2011, p.44).

[2] See Annex XIV.

[3] Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

[4] Council Decision of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean (OJ L 190, 4.7.1998, p. 34).

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(4) The GFCM Agreement provides an appropriate framework for multilateral cooperation to promote the development, conservation, rational management and best utilisation of living marine resources in the Mediterranean Sea and the Black Sea at levels which are considered sustainable and at low risk of collapse.

(5) The Union, as well as Bulgaria, Greece, Spain, France, Croatia, Italy, Cyprus, Malta, Romania and Slovenia, are contracting parties to the GFCM Agreement.

(6) Recommendations adopted by the General Fisheries Commission for the Mediterranean (GFCM) are binding on its contracting parties. As the Union is a contracting party to the GFCM Agreement, those recommendations are binding on the Union and should therefore be implemented into Union law unless their content is already covered thereby. The Union is to ensure that Union fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law, while promoting a level-playing field for Union operators vis-à-vis third-country operators.

(7) For those reasons and since the permanent character of recommendations requires also a permanent legal instrument for their implementation in Union law, it is appropriate to implement those recommendations by means of a single legislative act, ensuring legal clarity and predictability for Union operators in waters covered by the GFCM and where future recommendations can be added by way of amendments to that act.

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(8) In accordance with Article 4 of Regulation (EU) 2019/473 of the European Parliament and of the Council[1], the European Fisheries Control Agency (EFCA) is, at the Commission's request, to assist the Union and the Member States in their relations with third countries and regional international fisheries organisations of which the Union is a member. In line with that Regulation, when needed for the implementation of Union obligations, EFCA is, at the Commission's request, to coordinate control and inspection activities by Member States on the basis of international control and inspection programmes. It is therefore appropriate to adopt provisions that include EFCA, when designated by the Commission, as the body that receives from Member States information relating to control and inspection, such as at sea inspection reports.

(9) Management measures and recommendations should be based on the best available scientific advice. The advice upon which management measures are based should itself be based on the scientific use of relevant data on fleet capacity and activity, on the biological status of exploited resources and on the social and economic situation of fisheries. Those data need to be collected and submitted in time to allow the subsidiary bodies of the GFCM to prepare their advice, which should take into consideration biological, socio-economic and environmental aspects.

(10) The GFCM annual sessions held since 2005 adopted a number of recommendations and resolutions for certain fisheries in the GFCM Agreement area which have been implemented into Union law mainly by means of Regulation (EU) No 1343/2011.

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[1] Regulation (EU) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency (OJ L 83, 25.3.2019, p. 18).

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(11) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/8 amending provision 13 of and Annex I to Recommendation GFCM/33/2009/8. While Council Regulation (EC) No 1005/2008[1] partly covers the content of that Recommendation, this Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(12) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/4 on a management plan for the sustainable exploitation of red coral in the Mediterranean Sea, repealing Recommendations GFCM/35/2011/2, GFCM/36/2012/1, GFCM/40/2016/7 and GFCM/41/2017/5. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(13) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/2 on fisheries management measures for the conservation of sharks and rays in the GFCM area of application, amending Recommendation GFCM/36/2012/3. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

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[1] Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (OJ L 286, 29.10.2008, p. 1).

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(14) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/8 on further emergency measures in 2019-2021 for small pelagic stocks in the Adriatic Sea, replacing Recommendation GFCM/38/2014/1. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(15) It is important to estimate catches of recreational fisheries, where relevant, in the waters covered by the GFCM with a view to allowing the Scientific Advisory Committee (SAC) to provide descriptive information and advice on estimations of catches of recreational fisheries.

(16) The GFCM measures laid down in Recommendations GFCM/37/2013/1 and GFCM/42/2018/8 includes a ban on retention on board or landing which should be implemented into Union law in accordance with Article 15(2) of Regulation (EU) No 1380/2013. For the purpose of proper implementation, national control, monitoring and surveillance programmes should be developed, which the Commission should communicate annually to the GFCM Secretariat.

(17) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/5 on establishing a multiannual management plan for demersal stocks in the Strait of Sicily, repealing Recommendations GFCM/39/2015/2 and GFCM/40/2016/4. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

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(18) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/3 amending Recommendation GFCM/41/2017/4 on a multiannual management plan for turbot fisheries in the Black Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(19) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/2 on a management plan for the sustainable exploitation of blackspot seabream in the Alboran Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(20) In Mediterranean mixed fisheries, the selectivity of some fishing gear cannot be permitted to go below a certain level. In addition to the overall control and limitation of fishing effort, it is fundamental to limit fishing effort in areas where adults of important stocks aggregate, in order to ensure a risk of reproduction impairment that is low enough to allow for their sustainable exploitation. It is therefore advisable, in respect of the area examined by the SAC, first to limit the fishing effort to previous levels and then not to allow any increase of those levels.

(21) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/1 on a multiannual management plan for European eel in the Mediterranean Sea. This Recommendation establishes a multiannual management plan for fisheries catching European eel in the Mediterranean Sea, in line with the precautionary approach to fisheries management. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

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(22) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/3 on a multiannual management plan for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Levant Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(23) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/4 on a multiannual management plan for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Ionian Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(24) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/7 on a regional research programme on blue crab in the Mediterranean Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(25) At its annual session in 2018, the GFCM adopted Recommendation GFCM/42/2018/9 on a regional research programme for rapa whelk fisheries in the Black Sea. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

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(26) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/1 on a set of management measures for the use of anchored fishing aggregating devices in common dolphinfish fisheries in the Mediterranean Sea. This Recommendation complements Recommendation GFCM/30/2006/2 on the establishment of a closed season for common dolphinfish fisheries using fish aggregating devices and establishes a set of management measures for the use of anchored FADs exploiting common dolphinfish in the GFCM area of application. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

(27) At its annual session in 2019, the GFCM adopted Recommendation GFCM/43/2019/6 on management measures for sustainable trawl fisheries targeting giant red shrimp and blue and red shrimp in the Strait of Sicily. This Regulation should implement into Union law the measures laid down in that Recommendation which are not yet covered by Union law.

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(28) Implementing powers should be conferred on the Commission in order to ensure uniform conditions for the implementation of the provisions of this Regulation in respect of cooperation and exchange of information with the GFCM Secretariat and in respect of the format and transmission of: the report on the fishing activities carried out in fisheries restricted areas; applications for carrying over lost days due to bad weather in the closed season for dolphinfish fisheries and the report on such carrying over; and the report in the context of collecting data on dolphinfish fisheries. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1].

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[1] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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(29) In order to ensure that the Union continues to fulfil its obligations under the GFCM Agreement, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the implementation into Union law of amendments, which have become binding on the Union, to existing GFCM measures which have already been implemented into Union law, as regards the transmission to the GFCM Secretariat of the list of authorised vessels for the purpose of the GFCM Register; the derogations to conservation measures for red coral; the implementation of the permanent catch documentation scheme (CDS) for red coral; port state measures; the table, map and geographic coordinates of the GFCM geographical subareas; port state inspection procedures for vessels; and GFCM statistical matrices. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1].In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts,

HAVE ADOPTED THIS REGULATION:

[1] OJ L 123, 12.5.2016, p. 1.

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TITLE I
GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down the rules for the application by the Union of the conservation, management, exploitation, monitoring, marketing and enforcement measures for fishery and aquaculture products established by the General Fisheries Commission for the Mediterranean (GFCM).

Article 2

Scope

1. This Regulation applies to all commercial fishing and aquaculture activities, as well as to recreational fishing activities where specifically provided for in this Regulation, conducted by Union fishing vessels and nationals of Member States in the GFCM Agreement area.

   It shall apply without prejudice to Council Regulation (EC) No 1967/2006[1].

[1] Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

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2. By way of derogation from paragraph 1, this Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigations which are carried out with the permission and under the authority of the Member State whose flag the vessel is flying and of which the Commission and the Member States in whose waters the research is carried out have been informed in advance, unless specified otherwise in this Regulation. Member States conducting fishing operations for the purpose of scientific investigations shall inform the Commission, the Member States in whose waters the research is carried out and the Scientific, Technical and Economic Committee for Fisheries of all catches from such fishing operations.

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Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply in addition to the definitions laid down in Article 4 of Regulation (EU) No 1380/2013, Article 2 of Regulation (EC) No 1967/2006, Article 4 of Council Regulation (EC) No 1224/2009[1], Article 2, points (1) to (13), of Regulation (EU) 2019/1022 of the European Parliament and of the Council[2] and Article 6 of Regulation (EU) 2019/1241 of the European Parliament and of the Council[3]:

(1) 'GFCM Agreement area' means the Mediterranean and the Black Sea, as described in the GFCM Agreement;

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1 Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

2 Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172 26.6.2019, p. 1).

3 Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 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 (OJ L 198 25.7.2019, p. 105).

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(2) ‘buffer area’ means a zone surrounding a fisheries restricted area in order to avoid accidental access to it, enhancing the protection of the surrounded area;

(3) ‘fishing day’ means any continous period of 24 hours, or part thereof, during which a vessel is present in the GFCM Agreement area and absent from port;

(4) ‘Data Collection Reference Framework (DCRF) manual’ means the manual prepared by the Scientific Advisory Committee (SAC) and endorsed by the GFCM related to the implementation of the DCRF;

(5) ‘Common Fleet Register (CFR) number’ means the common fleet register (CFR) number as defined in Article 2, point (l), of Commission Implementing Regulation (EU) 2017/218[1];

(6) ‘live weight' means the weight of fresh catches weighed immediately after the end of fishing operations or, in the case of daily fishing trips, before their landing at the designated landing point at the latest;

(7) ‘red coral bank’ means an area of variable size where red coral (*Corallium rubrum*) colonies are relatively abundant;

(8) ‘red coral colony’ means the biological unit exploited in red coral (*Corallium rubrum*) fisheries and represents a genetic unit formed by hundreds/thousands of red coral polyps, which can have a tree-like shape with several branches.

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[1] Commission Implementing Regulation (EU) 2017/218 of 6 February 2017 on the Union fishing fleet register (OJ L 34, 9.2.2017, p. 9).

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TITLE II
MANAGEMENT, CONSERVATION AND CONTROL MEASURES CONCERNING CERTAIN SPECIES

Chapter I
European Eel

Article 4

Scope

This Chapter applies to all fishing activities catching European eel (*Anguilla anguilla*), namely targeted, incidental and recreational fisheries, in all the marine waters of the Mediterranean Sea as provided for in Annex I, including freshwaters and transitional and brackish waters, such as lagoons and estuaries.

Article 5

Fisheries restricted areas

1. Member States may establish fisheries restricted areas to further protect European eel. The location and boundaries of those areas shall be consistent with the distribution of the main habitats of European eel in the Member State concerned.

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2. It shall be prohibited to fish European eel in the areas referred to in paragraph 1. Specimens accidentally captured in those areas shall be immediately released upon the catch.

Article 6

Technical measures

Without prejudice to Regulation (EU) 2019/1241, the national management plans and national management measures adopted by Member States pursuant to Article 2 of Council Regulation (EC) No 1100/2007[1], shall establish technical measures such as authorised fishing gear and mesh size.

Article 7

Additional measures

1. Member States may adopt voluntary measures to complement their national management plan or national management measures, in accordance with Article 2 of Regulation (EC) No 1100/2007, taking into account, inter alia, the conservation status of European eel in their waters, the impact of fishing activities catching European eel in their waters and other anthropogenic mortality sources.

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[1] Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17).

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2. Member States shall communicate the measures adopted in accordance with paragraph 1 to the Commission at the latest two weeks after their entry into force and the Commission shall transmit those measures to the GFCM Secretariat within one month of their entry into force.

Article 8

Implementation of measures

1. Member States shall provide a report on the implementation of the measures set out in this Chapter to the Commission not later than one month before the 45th session of the GFCM.

2. The Commission shall transmit the report referred to in paragraph 1 to the GFCM Secretariat not later than the 45th session of the GFCM. That report may include an estimate of the impact of measures included in the national management plans and any other measures.

Article 9

Fishing authorisation

1. Member States shall communicate a list of all authorised fishing vessels, pursuant to Article 11(1) of Regulation (EC) No 1100/2007, to the Commission by 10 June of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 June of each year.

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2. Member States shall immediately transmit to the Commission any modifications to the list referred to in paragraph 1. The Commission shall communicate those modifications to the GFCM Secretariat without delay.

Article 10

Authorised transitional and brackish waters

1. By 1 January 2020, Member States shall establish and keep up to date a list of all authorised transitional and brackish waters, such as lagoons and estuaries, where traditional permanent fish-harvesting static gear is placed for catch of European eel.

2. Member States shall communicate the list referred to in paragraph 1 to the Commission by 10 June of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 June of each year.

3. Member States shall immediately transmit to the Commission any modifications to the list referred to in paragraph 1. The Commission shall communicate those modifications to the GFCM Secretariat without delay.

Article 11

Designated landing points

1. Landing of European eel shall only be authorised in landing points designated by each Member State for this purpose.

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2. By way of derogation from paragraph 1, Member States may put in place measures alternative to designated landing points, provided that those measures effectively contribute to the fight against illegal, unregulated and unreported fishing (IUU) fishing.

Article 12

Recording of catches

1. Fishers or masters of the fishing vessels authorised to harvest European eel shall record their catches in live weight, irrespective of the live weight of the catch and harvest.

2. In the case of transitional and brackish waters, such as lagoons and estuaries where European eel catching continues to be carried out with permanent traditional fish-harvesting static gear, fishers or masters of the authorised fishing vessels shall record their catches in live weight.

3. Without prejudice to Article 14 of Regulation (EC) No 1224/2009, masters of vessels shall record in the logbook their daily catches of European eel, irrespective of the live weight of the harvest.

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Chapter II
Giant red shrimp, blue and red shrimp

SECTION I
LEVANT SEA

Article 13

Scope

This section applies to all trawl fishing activities targeting giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*), operating in geographical subareas (GSAs) 24, 25, 26 and 27 as provided for in Annex I.

Article 14

Scientific monitoring

Member States shall ensure annually an adequate scientific monitoring of the status of the species included within the scope of this section, allowing the SAC to prepare its advice which should take into consideration biological, socio-economic and environmental aspects.

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Article 15

List of authorised and active vessels

1. Member States shall communicate the list of all fishing vessels that are authorised to fish for and are actively fishing for the species listed in Article 13 for a given year to the Commission by 10 January of each year. The Commission shall transmit that list to the GFCM Secretariat by 31 January of each year. That list shall include, for each vessel, the information referred to in Annex VIII.

2. Any fishing vessel not included in the list established under paragraph 1 shall not be allowed in any given fishing trip to fish for, retain on board, or land more than 3 % of the total live weight of the catch of the species listed in Article 13.

3. Member States shall promptly notify the Commission of any addition to, deletion from and/or modification of, the list of authorised fishing vessels, any time such changes may occur. The Commission shall transmit those modifications to the GFCM Secretariat without delay.

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Article 16

Fishing activities

Member States shall communicate to the Commission by 31 July of each year, a detailed report on fishing activities of fishing vessels operating within the scope of this section for the previous year. The Commission shall transmit that report to the GFCM Secretariat by 31 August of each year. That report shall include at least the following:

(1) operating days;

(2) operating area;

(3) total catch.

Article 17

Additional spatial or temporal restrictions

1. Member States may designate additional spatial or temporal restrictions to those already existing where fishing activities may be banned or restricted in order to protect aggregation areas of juveniles.

2. Member States shall immediately notify the Commission of any such additional spatial or temporal restrictions once they are established. The Commission shall notify the GFCM Secretariat thereof without delay.

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Article 18

Reporting obligations

Notwithstanding Article 14(1) of Regulation (EC) No 1224/2009, fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall declare all catches and bycatch of giant red shrimp and blue and red shrimp, irrespective of the live weight of the catch.

Article 19

Designated landing points

1. Member States shall designate landing points where landings and transhipping by vessels actively fishing within the scope of this section shall take place. For each designated landing point, Member States shall specify permitted landing and transhipping times and places.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of species included within the scope of this section at any place other than landing points designated by Member States in accordance with paragraph 1.

3. Member States shall communicate to the Commission any change to the list of designated landing points by 15 November of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 November of each year.

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Article 20

Vessel monitoring system

Notwithstanding Article 9(2) of Regulation (EC) No 1224/2009, all vessels above 10 metres in length overall (LOA) actively fishing within the scope of this section shall be equipped with a vessel monitoring system (VMS).

Article 21

Logbook

Notwithstanding Article 14(1) of Regulation (EC) No 1224/2009, authorised fishing vessels operating within the scope of this section shall have on board a logbook in which daily catches of giant red shrimp and blue and red shrimp are recorded and declared, irrespective of the live weight of the catch, in accordance with Article 18 of this Regulation.

SECTION II

IONIAN SEA

Article 22

Scope

This section applies to all trawl fishing activities targeting giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in GSAs 19, 20 and 21 as provided for in Annex I.

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Article 23

Scientific monitoring

Member States shall ensure annually an adequate scientific monitoring of the status of the species included within the scope of this section, allowing the SAC to prepare its advice which should take into consideration biological, socio-economic and environmental aspects.

Article 24

List of authorised and active vessels

1. Member States shall communicate the list of all fishing vessels flying their flag that are authorised to fish for and are actively fishing for the species listed in Article 22 for a given year to the Commission by 10 January of each year. The Commission shall transmit that list to the GFCM Secretariat by 31 January of each year. That list shall include, for each vessel, the information referred to in Annex VIII.

2. Any fishing vessel not included in the list referred to in paragraph 1 shall not be allowed in any given fishing trip to fish for, retain on board, or land more than 3 % of the total live weight of the catch of the species listed in Article 22.

3. Member States shall promptly notify the Commission of any addition to, deletion from and/or modification of, the list of authorised fishing vessels, any time such changes may occur. The Commission shall transmit those modifications to the GFCM Secretariat without delay.

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Article 25

Fishing activities

Member States shall communicate to the Commission by 31 July of each year, a detailed report on fishing activities of fishing vessels operating within the scope of this section for the previous year. The Commission shall transmit that report to the GFCM Secretariat by 31 August of each year. That report shall include at least the following:

(1) operating days;

(2) operating area;

(3) total catch.

Article 26

Additional spatial or temporal restrictions

1. Member States may designate additional spatial or temporal restrictions to those already existing where fishing activities may be banned or restricted in order to protect aggregation areas of juveniles.

2. Member States shall immediately notify the Commission of any such additional spatial or temporal restrictions once they are established. The Commission shall notify the GFCM Secretariat thereof without delay.

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Article 27

Reporting obligations

Notwithstanding Article 14(1) of Regulation (EC) No 1224/2009, fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall declare all catches and by-catch of giant red shrimp and blue and red shrimp, irrespective of the live weight of the catch.

Article 28

Designated landing points

1. Member States shall designate landing points where landings and transhipping by vessels actively fishing within the scope of this section shall take place. For each designated landing point, Member States shall specify permitted landing and transhipping times and places.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of species included within the scope of this section at any place other than landing points designated by Member States in accordance with paragraph 1.

3. Member States shall communicate to the Commission any change to the list of designated landing points by 31 October of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 November of each year.

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Article 29

Vessel monitoring system

Notwithstanding Article 9(2) of Regulation (EC) No 1224/2009, all vessels above 10 metres in LOA actively fishing within the scope of this section shall be equipped with a VMS.

Article 30

Logbook

Notwithstanding Article 14(1) of Regulation (EC) No 1224/2009, authorised fishing vessels operating within the scope of this section shall have on board a logbook in which daily catches of giant red shrimp and blue and red shrimp are recorded and declared, irrespective of the live weight of the catch, in accordance with Article 27 of this Regulation.

SECTION III

STRAIT OF SICILY

Article 31

Scope

This section applies to all trawl fishing activities targeting giant red shrimp (*Aristaeomorpha foliacea*) and blue and red shrimp (*Aristeus antennatus*) in GSAs 12, 13, 14, 15 and 16 as provided for in Annex I.

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Article 32

Fleet management measures

Member States shall ensure that their fleet capacity is maintained for the exploitation of species under the scope of this section at levels established in Table A of Annex XII.

Article 33

Scientific monitoring

Member States shall ensure annually an adequate scientific monitoring of the status of the species included within the scope of this section, allowing the SAC to prepare its advice which should take into consideration biological, socio-economic and environmental aspects.

Article 34

List of authorised and active vessels

1. Member States shall communicate the list of all fishing vessels flying their flag that are authorised to fish and are actively fishing for the species listed in Article 31 for a given year to the Commission by 10 June of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 June of each year. That list shall include, for each vessel, the information referred to in Annex VIII.

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2. Member States shall promptly notify the Commission of any addition to, deletion from and/or modification of, the list of authorised fishing vessels, any time such changes may occur. The Commission shall transmit those modifications to the GFCM Secretariat without delay.

Article 35

Fishing activities

Member States shall communicate to the Commission by 15 November of each year, a detailed report on fishing activities of fishing vessels operating within the scope of this section for the previous year. The Commission shall transmit that report to the GFCM Secretariat by 30 November of each year. That report shall include at least the following:

(1) operating days;

(2) operating area;

(3) total catch of key species listed in Article 31.

Article 36

Additional spatial or temporal restrictions

1. Member States may designate additional spatial or temporal restrictions to those already existing where fishing activities may be banned or restricted in order to protect aggregation areas of juveniles.

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2. Member States shall immediately notify the Commission of any such additional spatial or temporal restrictions once they are established. The Commission shall notify the GFCM Secretariat thereof without delay.

Article 37

Designated landing points

1. Member States shall designate landing points where the landings by vessels actively fishing within the scope of this section shall take place.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of species listed in Article 31 at any place other than landing points designated by Member States in accordance with paragraph 1.

3. Fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall declare all catches of the species listed in Article 31, irrespective of the live weight of the catch.

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Chapter III

Conservation and sustainable exploitation of red coral

Article 38

Scope

1. This Chapter applies to all commercial fishing activities harvesting red coral (*Corallium rubrum*), in all marine waters of the Mediterranean Sea as provided for in Annex I.

2. Catch and retention on board, transhipment or landing of red coral shall be prohibited for recreational fisheries purposes.

3. This Chapter shall apply without prejudice to Article 4(2) of Regulation (EC) No 1967/2006, Article 7 of Regulation (EU) 2019/1241 or any stricter measures stemming from Council Directive 92/43/EEC[1].

Article 39

National management plans

1. Member States shall adopt national management plans for red coral.

[1] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

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2. Depending on available scientific information, management shall take place at red coral bank, GFCM statistical rectangle or national level. Any national management plan shall include at least the elements listed in Articles 40, 41, 42, 44–50, 52, 53 and 56.

3. Member States shall submit their national management plans for red coral to the Commission 10 working days after their adoption and the Commission shall transmit them to the GFCM Secretariat at the latest within 15 working days after their adoption. Member States shall immediately resubmit any updated national management plan for red coral to the Commission. The Commission shall transmit it to the GFCM Secretariat, in particular when new closures or new openings of red coral banks are decided.

Article 40

Gear and devices

For the harvesting of red coral, the only permitted gear shall be a hammer used in scuba diving by authorised vessels or fishers who are authorised or recognised by the competent national authority. During the harvest, the authorised fisher shall ensure that the base of the coral colony is not detached from the substrate.

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Article 41

Minimum depth for harvesting

1. The harvesting of red coral shall be prohibited at depths of less than 50 metres.

2. The Commission is empowered to adopt delegated acts supplementing this Regulation in accordance with Article 140 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 in order to grant derogations from paragraph 1 of this Article.

3. Joint recommendations to be submitted pursuant to Article 18(1) of Regulation (EU) No 1380/2013 with a view to a derogation as referred to in paragraph 2 of this Article shall be accompanied by:

   (a) detailed information on the national management framework;

   (b) the scientific or technical justifications;

   (c) the list of fishing vessels, or the number of authorisations granted, as regards the harvesting of red coral at depths of less than 50 metres; and

   (d) the list of fishing zones where such harvesting is authorised, as identified by geographic coordinates both on land and at sea.

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4. Derogations referred to in paragraph 2 of this Article shall be granted if the following conditions are satisfied:

(a) such derogations have been implemented continuously by means of management rules during at least five years before 18 April 2020; or

(b) in case of a new derogation, it shall be supported by the SAC, demonstrating that the request is in line with the objectives of this Chapter.

5. The Commission shall inform the GFCM Secretariat of the measures adopted pursuant to paragraph 2.

Article 42

Minimum conservation reference size

1. Red coral from colonies of red coral whose diameter is less than 7 mm, measured within one centimetre from the base of the colony, shall not be harvested, retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale as raw product.

2. The Commission is empowered to adopt delegated acts supplementing this Regulation in accordance with Article 140 of this Regulation and Article 18(1) to (6) of Regulation (EU) No 1380/2013 in order to authorise, by way of derogation from paragraph 1, a maximum tolerance limit of 10 % in live weight of undersized (< 7 mm) colonies of red coral.

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3. Joint recommendations to be submitted pursuant to Article 18(1) of Regulation (EU) No 1380/2013 with a view to a derogation as referred to in paragraph 2 of this Article shall be accompanied by the scientific or technical justifications for that derogation.

4. The Commission shall inform the GFCM Secretariat of the measures adopted pursuant to paragraph 2.

Article 43

Transmission of harvest and effort data

Member States shall communicate to the Commission their harvest and effort exerted for the preceding year, by 15 June of each year. The Commission shall transmit those data to the GFCM Secretariat by 30 June of each year.

Article 44

Catch limits

1. Each Member State may establish a system of individual daily and/or annual harvest and/or fishing effort limits for their authorised fishers and their authorised fishing vessels. Such limits shall be consistent with the number of fishing authorisations granted, the annual harvest limits and fishing effort limits set for the Member State concerned.

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2. When, for a given year and a properly identified red coral bank, or, at the scale of the relevant GFCM statistical rectangle if the red coral bank has not been properly identified, the proportion of colonies harvested below the minimum conservation reference size, as provided for in Article 42, is:

(a) less than 10 % of the total catch harvested from a given red coral bank for a given year, Member States not having a national management plan in place shall implement stricter control measures over the area concerned;

(b) more than 10 % and less than 25 % of the total catch harvested from a given red coral bank for a given year, the Member States shall implement stricter control over the area concerned and survey the size structure of the red coral population, irrespective of the existence of a national management plan.

3. When a trigger catch level of red coral as referred to in paragraphs 4 and 5 has been reached, Member States shall close the area concerned to any red coral fishery.

4. The trigger catch level shall be deemed to be reached when colonies of red coral whose basal diameter is lower than 7 mm exceed 25 % of the total catch harvested from a given red coral bank for a given year.

5. Where coral banks have not yet been properly identified, the trigger catch level and the closure provided for in paragraph 3 shall apply at the scale of the relevant GFCM statistical rectangle.

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6. Member States shall take the necessary measures to implement precautionary closures provided for in paragraph 3. In their decision establishing a closure, Member States shall define the geographical area of the affected harvest ground, the duration of the closure and the conditions governing fisheries in that area during the closure, as well as the conditions for reopening the fishery.

7. Member States may implement a move-on rule for fishing vessels to cease fishing and move in the direction least likely to result in further encounters from the colonies, with a view to avoiding the trigger catch level referred to in paragraph 4 and ensuring the optimal exploitation and recovery of the colonies.

8. When Member States implement a move-on rule referred to in paragraph 7, they shall immediately notify the Commission thereof and the Commission shall notify the GFCM Secretariat.

9. Member States may implement a crop rotation system between their red coral banks to ensure an optimal exploitation and recovery of the colonies.

10. When Member States implement a crop rotation system referred to in paragraph 9, they shall immediately notify the Commission thereof and the Commission shall notify the GFCM Secretariat.

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Article 45

Spatial or temporal closures

1. In addition to the closures already established at national level, Member States actively harvesting red coral may introduce additional spatial or temporal closures for the protection of red coral on the basis of the scientific advice available.

2. Member States establishing closures shall inform the GFCM Secretariat and the Commission without delay.

Article 46

Remotely operated underwater vehicles (ROVs)

1. The use of remotely operated underwater vehicles (ROVs) shall be prohibited in the area referred to in Article 38.

2. By way of derogation from paragraph 1, the use of ROVs is permitted exclusively for scientific purposes within the GFCM research programme until the end of that programme.

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Article 47

Fleet management measures

1. Vessels or fishers shall be authorised to harvest red coral in the Mediterranean Sea only if they hold a valid fishing authorisation issued respectively by the flag Member State authority or by the authorities of the coastal Member State where the fishing activities take place. Such authorisations shall specify the technical conditions under which the fishery may be carried out.

2. In the absence of an authorisation as referred to in paragraph 1, it shall be prohibited to harvest, retain on board, tranship, land, transfer, store, sell or display or offer for sale red coral.

3. A fishing authorisation may only be granted to a fisher (diver) who complies with standards for professional diving in accordance with national legislation.

4. Member States shall maintain an updated register of fishing authorisations referred to in paragraph 1 and shall send to the Commission, by 15 June of each year, the list of fishers and/or vessels for which the authorisations referred to in paragraph 1 were issued. The Commission shall communicate that list to the GFCM Secretariat not later than 30 June of each year. That list shall include, for each vessel, at least the information referred to in Annex VIII.

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5. Member States shall not increase the number of fishing authorisations referred to in paragraph 1 until scientific advice validated by the SAC indicates that red coral populations have rebuilt to sustainable levels allowing them to sustain increased exploitation.

Article 48

Designated landing points

Authorised fishers or vessels shall only land and tranship red coral catches in designated landing points. To this end, each Member State shall designate landing points in which landing and transhipment of red coral is authorised and communicate a list of those designated landing points to the Commission by 15 June of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 June of each year, unless there is no change of designated landing points already communicated. Member States shall immediately communicate any update of that list to the Commission. The Commission shall transmit those updates to the GFCM Secretariat without delay.

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Article 49

Prior notification

Prior to entry into any port, and at least four hours before the estimated time of arrival at port, or at least one hour if the fishing grounds are less than four hours from the port of arrival, the masters of the fishing vessels or their representative or the authorised fishers shall notify the relevant authorities the following information:

(1) the estimated time of arrival to the port;

(2) the external identification number and the name of the authorised vessel or vessel used for harvesting;

(3) the estimated quantity in live weight and the number of red coral colonies retained on board;

(4) the information on the harvesting area, preferably with geographical coordinates.

Article 50

Recording of catches

1. Fishers or masters of the vessels authorised to harvest red coral shall record their harvest after each harvest operation.

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2. Fishing vessels authorised to harvest red coral shall have on board a logbook in which the daily catches of red coral, irrespective of the live weight of the harvest, and fishing activity by area and depths are recorded, including, where possible, the number of fishing days and dives. That information shall be communicated to the competent national authorities within the deadline laid down in Article 14(6) of Regulation (EC) No 1224/2009.

3. By 15 December of each year, the Member States concerned shall submit to the Commission the data on red coral referred to in this Article. The Commission shall transmit those data to the GFCM Secretariat by 31 December of each year.

Article 51

Pilot projects

Member States may implement pilot projects to ensure that all fishers or vessels authorised to harvest red coral use a VMS or any other geolocation system allowing control authorities to track their activity at all times during the fishing trips.

Article 52

Control of landings of red coral

Each Member State shall establish a control programme based on risk analysis, in particular to verify the landings and validate the logbooks.

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Article 53

Transhipment operations

Transhipment operations at sea of red coral shall be prohibited.

Article 54

Inspection plan

Each Member State shall establish an inspection plan containing the control and enforcement measures set out in this Chapter, taking into account the elements listed in Annex V. Those inspection plans shall be communicated to the Commission by 15 January of each year and the Commission shall transmit those plans to the GFCM Secretariat by 31 January of each year.

Article 55

Traceability of red coral products

1. For a transitional period of three years (2020–2022), Member States may participate in the pilot phase of the Catch Documentation Scheme (CDS), for the purpose of identifying where the origin of red coral is harvested in the GFCM area of application, and implement the following traceability measures:

   (a) a validated CDS certificate as referred to in Annex X and issued by the competent authorities of the flag State shall accompany all landings, imports, export and re-exports of red coral harvested;

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(b) each certificate shall have a unique document identification number. Such number shall be specific to the flag State and be assigned to each fisher or authorised vessel. Such certificates shall not be transferable to another fisher or authorised vessel;

(c) Member States shall validate the CDS harvest certificates for red coral only when all the information contained in the CDS has been established to be accurate as a result of the verification of the supporting documents and corresponding consignment.

2. Member States participating in the pilot phase shall report to the Commission, and the Commission shall report to the GFCM Secretariat accordingly, on the implementation of the pilot phase in the context of a permanent CDS for red coral.

Article 56

Scientific information for red coral

1. In addition to the provisions related to red coral contained in the DCRF manual, Member States shall report the data listed below at the bank, GFCM statistical rectangle and national level, when available:

(a) number of red coral fishing authorisations granted for fishers and for authorised vessels;

(b) number of dives per authorised fisher and fishing trip;

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(c) number of authorised fishers on board for each fishing trip; and

(d) diameter of each colony harvested, if possible.

Such data shall be reported by the Member States to the Commission by 10 June of each year and the Commission shall transmit those data to the GFCM Secretariat by 30 June of each year.

2. The Member States whose authorised fishers or vessels target red corals shall ensure that a mechanism for adequate scientific monitoring of harvests is in place, with a view to allowing the SAC to provide descriptive information and advice, including on:

(a) the deployed fishing effort (e.g. number of fishing trips or dive time per week, per month or per year) and overall catch levels by stocks at the bank, GFCM statistical rectangle, national or supranational level;

(b) the conservation and management reference points with a view to further improving the regional management plan in line with the objective of maximum sustainable yield and low risk of stock collapse;

(c) the biological and socio-economic effects of alternative management scenarios, including input/output control or technical measures;

(d) possible additional spatial or temporal closures in order to preserve fishery sustainability.

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3. It shall be prohibited to commercialise red coral colonies harvested within the framework of research programmes on red coral.

4. Member States may deploy national scientific observers on the vessels that have harvested red coral. In case of such deployment, Member States may report the information collected to the Commission and the Commission shall transmit that information to the GFCM Secretariat.

Chapter IV
Demersal fisheries

SECTION I
STRAIT OF SICILY

Article 57
Scope

This section applies to all fishing activities by Union bottom trawlers above 10 metres in LOA targeting demersal stocks, including European hake (*Merluccius merluccius*) and deep-water rose shrimp (*Parapenaeus longirostris*), in GSAs 12, 13, 14, 15 and 16 as provided for in Annex I.

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Article 58

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans under the scope of this section to ensure that the exploitation levels of demersal stocks, in particular European hake and deep-water rose shrimp, reach and maintain the maximum sustainable yield.

2. Member States shall communicate management measures or national management plans adopted and any modifications made to those measures or plans to the Commission by 15 January of each year. The Commission shall transmit those measures or plans and modifications thereof to the GFCM Secretariat by 31 January of each year.

Article 59

Additional spatial or temporal restrictions

1. Member States may designate additional spatial or temporal restrictions to those already existing where fishing activities may be banned or restricted in order to protect spawning and nursery areas.

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2. Member States shall communicate to the Commission by 15 June of each year the spatial/temporal restrictions in the waters under their sovereignty or under their jurisdiction. The Commission shall transmit that list to the GFCM Secretariat by 30 June of each year.

Article 60

Scientific monitoring

Member States shall ensure adequate annual scientific monitoring of the species listed in Article 57.

Article 61

Authorisations for bottom trawling fisheries on demersal stocks

1. Bottom trawling vessels actively targeting the species listed in Article 57, shall only be allowed to carry out the specific fishing activities indicated in a valid fishing authorisation issued by the competent authorities and specifying the technical conditions under which such activities shall be carried out. Such vessels shall be equipped with a VMS.

2. The fishing authorisation referred to in paragraph 1 shall include, in addition to the data defined in Annex I to Implementing Regulation (EU) 2017/218, the following data:

   (a) GFCM registration number;

   (b) previous name (if any);

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(c) previous flag (if any);

(d) previous details of deletion from other registers (if any).

3. Member States shall send to the Commission by 31 October of each year the list of vessels for which they issued the authorisation referred to in paragraph 1. The Commission shall communicate that list to the body designated by it and to the GFCM Secretariat not later than 30 November of each year.

4. Member States shall communicate to the Commission by 31 July of each year and the Commission shall transmit to the GFCM Secretariat not later than 31 August of each year, in an aggregated format, a report on fishing activities carried out by the vessels referred to in paragraph 1, including the following minimum information:

(a) number of fishing days;

(b) exploitation area; and

(c) captures of European hake and deep-water rose shrimp.

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Article 62

Designated landing points

1. Each Member State shall designate landing points in which landings of European hake and deep-water rose shrimp from the Strait of Sicily may take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. Any change to that list shall be promptly notified to the Commission and to the GFCM Secretariat.

2. It shall be prohibited to land or tranship from fishing vessels any quantity of European hake and deep-water rose shrimp fished in the Strait of Sicily at any place other than in landing points designated by the Member States.

3. Member States shall specify, for each designated landing point, the permitted landing and transhipping times. Member States shall also ensure inspection coverage of such activities during all landing and transhipping times at all designated landing points.

Article 63

International Joint Inspection and Surveillance Scheme

1. Member States may carry out inspection and surveillance activities in the framework of an International Joint Inspection and Surveillance Scheme (‘the Scheme’) covering the waters outside national jurisdiction in GSAs 12, 13, 14, 15 and 16, as defined in Annex I (‘the inspection and surveillance area’).

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2. Member States may assign inspectors and inspection means and carry out inspections under the Scheme. The Commission or a body designated by it may also assign Union inspectors to the Scheme.

3. The Commission or a body designated by it shall coordinate the surveillance and inspection activities for the Union and may draw up, in coordination with the Member States concerned, a joint deployment plan to enable the Union to fulfil its obligation under the Scheme. Member States shall adopt the necessary measures to facilitate the implementation of those plans, particularly as regards the human and material resources required and the periods and geographical areas in which those resources are to be deployed.

4. Each Member State shall, not later than 31 October of each year, notify to the Commission or a body designated by it the list of the names of inspectors authorised to perform the inspection and surveillance in the area referred to in paragraph 1, as well as the names of the vessels and aircraft used for inspection and surveillance which they intend to assign to the Scheme for the following year. The Commission or a body designated by it shall send this information to the GFCM Secretariat by 1 December of each year or as soon as possible before the commencement of inspection activities.

5. Inspectors assigned to the Scheme shall carry a GFCM identity card issued by the competent authorities, which shall be in the form set out in Annex IV.

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6. Vessels carrying out boarding and inspection duties in accordance with the Scheme shall fly a special flag or pennant, as described in Annex V.

7. Each Member State shall ensure that every inspection platform entitled to fly its flag operating in the area referred to in paragraph 1 maintains secure contact, daily where possible, with every other inspection platform operating in that area, to exchange information necessary to coordinate the activities.

8. Each Member State with an inspection or surveillance presence in the area referred to in paragraph 1 shall provide to each inspection platform, upon its entry into the area, a list of sightings established in accordance with Annex VII, of boardings and inspections it has conducted in the previous 10-day period, including dates, coordinates and any other relevant information.

Article 64

Conduct of inspections

1. Inspectors assigned to the Scheme shall:

(a) prior to boarding, notify the fishing vessel of the name of the inspection vessel;

(b) display, on the inspection vessel and boarding vessel, the pennant described in Annex V;

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(c) limit each inspection team to a maximum of three inspectors.

2. Upon boarding the vessel, inspectors shall produce the identity card described in Annex IV to the master of the fishing vessel. Inspections shall be conducted in one of the official languages of the GFCM and, where possible, in the language spoken by the master of the fishing vessel.

3. Inspectors shall draw up a report of the inspection in the format set out in Annex VI.

4. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add to the report any observations which he or she may think suitable and who must also sign.

5. Copies of the report shall be given to the master of the vessel and to the authorities of the inspection party, which shall transmit copies to the authorities of the flag State of the inspected vessel and to the Commission and/or a body designated by it. The Commission shall forward the copy to the GFCM Secretariat.

6. The size of the inspection party and length of the inspection shall be determined by the commanding officer of the inspection vessel taking into account all relevant circumstances.

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Article 65

Infringements

1. For the purposes of this Article, the following activities shall be considered as infringements:

   (a) the activities referred to in Article 3(1), points (a), (b), (c), (e), (f), (g) and (h), of Regulation (EC) No 1005/2008;

   (b) interference with satellite monitoring system; and

   (c) operating without a VMS.

2. In the case of any boarding and inspection of a fishing vessel during which the inspectors detect an infringement, the authorities of the flag Member State of the inspection vessel shall immediately inform the Commission or a body designated by it, which shall notify the flag State of the inspected fishing vessel both directly and through the GFCM Secretariat. They shall also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. The flag Member State of the vessel shall ensure that, following an inspection in which an infringement has been detected, the fishing vessel concerned ceases all fishing activities. The flag Member State shall require the fishing vessel to proceed within 72 hours to a landing point designated by it, where an investigation shall be initiated.

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4. In the event that an infringement has been detected during an inspection, the actions and follow-up taken by the flag Member State shall be notified to the Commission or a body designated by it. The Commission or a body designated by it shall forward the action and follow-up taken to the GFCM Secretariat.

5. Member States' authorities shall act on inspection reports, as referred to in Article 64(3), and statements resulting from documentary inspections by inspectors on a similar basis as they act on reports and statements of national inspectors.

SECTION II

ADRIATIC SEA

Article 66

Scope

This section applies to all fishing activities targeting demersal stocks, including European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea*), deep-water rose shrimp (*Parapenaeus longirostris*) and red mullet (*Mullus barbatus*), by means of otter-trawling, beam-trawling, bottom pair trawling and otter twin trawls, in GSAs 17 and 18 as provided for in Annex I.

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Article 67

Spatial and temporal closures

1. Member States shall:

   (a) close the coastal zone, irrespective of depth, out to six nautical miles, or four nautical miles for vessels not allowed to fish beyond six nautical miles, to towed gear targeting demersal stocks, for a continuous period of at least eight weeks on an annual basis; or

   (b) set a closure of at least 30 continuous days on an annual basis and covering at least 20 % of territorial waters for fishing activities with otter-trawling, beam-trawling, bottom pair trawling and otter twin trawls, irrespective of their overall length in the areas and periods recognised by Member States as important for the protection of juveniles of demersal stocks, and accounting for migration routes and spatial patterns of juvenile distribution.

2. Member States shall communicate to the Commission, by 15 June of each year, the spatial restrictions as referred to in paragraph 1, in the waters under their jurisdiction which they apply with a view to protecting spawning and nursery areas for demersal stocks referred to in Article 66.

3. The Commission shall transmit the information received in accordance with paragraph 2 to the GFCM Secretariat, by 30 June of each year.

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Article 68

Fisheries management measures or national management plans

1. Member States shall adopt fisheries management measures or national management plans within the scope of this section to ensure adequate conservation of demersal stocks, in particular European hake, Norway lobster, common sole, deep-water rose shrimp and red mullet, in accordance with the general objectives set out in the Multiannual management plan for the sustainable demersal fisheries in the Adriatic Sea (GSAs 17 and 18).

2. If the measures referred to in paragraph 1 are modified, Member States shall notify the Commission thereof without delay and the Commission shall communicate such modifications to the GFCM Secretariat by 31 January of the following year.

Article 69

Fleet management measures

1. Member States shall ensure that the overall active fleet capacity of the fleets operating under the scope of this section, in terms of gross tonnage (GT) and/or gross registered tonnage (GRT), engine power (kW) and number of vessels, as recorded both in Union and GFCM registers, does not exceed the fleet capacity for demersal fisheries in 2015 or its average between 2015 and 2017.

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2. Paragraph 1 shall not apply to national fleets operating with otter-trawling and fishing for less than 1 000 days during the reference period referred to in paragraph 1. The fishing capacity of those fleets shall not increase by more than 50 % with respect to that reference period.

Article 70

Fishing authorisations

1. Member States shall establish a list of vessels flying their flag and authorised to fish for the species listed in Article 66.

2. Member States shall communicate to the Commission by 10 January of each year the list of authorised vessels flying their flag and actively fishing under the scope of this section. That list shall include, for each vessel, the information referred to in Annex VIII. The Commission shall transmit that list to the GFCM Secretariat by 31 January of each year.

3. Vessels operating within the scope of this section shall only be allowed to carry out specific fishing activities with a valid fishing authorisation issued by the competent authorities. Authorised vessels above 12 metres in LOA shall be equipped with a VMS from 1 January 2021 and with an electronic logbook from 1 January 2022.

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4. Each Member States shall ensure adequate mechanisms are set up for the recording of each fishing vessel in a national fleet register, for the recording of the vessel's catches and fishing effort via the logbook as well as for the monitoring of fishing vessel activities and landings via catch and effort sampling surveys, in accordance with the Union or national rules.

5. As of 1 January 2021, for the purpose of collecting fishing effort data for the establishment of a future fishing effort regime, Member States shall report to the Commission by 10 June of each year data from the previous year on kW × fishing days and fishing days by gear and vessel LOA with no merging of vessel length classes, as provided for in Annex XIII. The Commission shall transmit those data to the GFCM Secretariat by 30 June of each year.

Article 71

Specific measures to address IUU fishing activities

1. Fishers or masters of authorised fishing vessels actively fishing in the Adriatic Sea shall declare all the catch and by–catch of the stocks listed in Article 66. The obligation to electronically declare catch shall apply from 1 January 2022, irrespective of the live weight of the catch, to vessels above 12 metres in LOA.

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2. Member States shall designate landing points where landings by vessels actively fishing for the species listed in Article 66 shall take place. For each designated landing point, Member States shall specify permitted landing and transhipping times and places. Member States shall also ensure inspection coverage of such activities during landing and transhipping times at all designated landing points on the basis of a risk analysis.

3. It shall be prohibited to land or tranship from fishing vessels any quantity of catches included within the scope of this section, fished using otter-trawling, beam-trawling, bottom pair trawling and otter twin trawls in the Adriatic Sea at any place other than the landing points designated by Member States in accordance with paragraph 2.

4. By 15 November of each year, Member States shall communicate to the Commission any change to the list of designated landing points where landings of stocks may take place as referred to in paragraph 2. By 30 November of each year, the Commission shall transmit those changes to the GFCM Secretariat.

Article 72

Reporting of catches

1. Authorised trawl vessels, fishing within the scope of this section, shall be equipped with an appropriate system of geopositioning. Authorised trawl vessels above 12 metres in LOA shall be equipped with a VMS. For authorised trawl vessels below 12 metres in LOA, Member States shall communicate to the Commission the chosen system of geopositioning.

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2. All catches of key stocks listed in Article 66, irrespectively of the live weight of the catch, as well as catches of non-target species in excess of 50 kg, shall be reported in the logbook.

Chapter V
Small pelagic fisheries

SECTION I
ADRIATIC SEA

Article 73
Scope

This section applies to all fishing activities targeting small pelagic stocks, including sardine (*Sardina pilchardus*) and anchovy (*Engraulis encrasicolus*), in GSAs 17 and 18 as provided for in Annex I.

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Article 74

Management of fishing capacity

1. For the purposes of this Article, the reference fishing capacity for small pelagic stocks is that established on the basis of the lists of fishing vessels of the Member States concerned. Those lists include all fishing vessels equipped with trawl nets, purse seines or other types of surrounding nets without purse line, actively fishing under the scope of this section in 2014.

2. Fishing vessels equipped with trawl nets and purse seines, irrespective of the LOA of the vessel concerned, are classified as fishing actively for small pelagic stocks when sardine and anchovy account for at least 50 % of the catch in live weight.

3. Member States shall ensure that the overall fleet capacity of fishing vessels equipped with trawl nets or purse seines actively fishing within the scope of this section, as recorded in the national fleet register and the CFR, does not at any time exceed the reference fishing capacity as provided for in Table B of Annex XII.

4. Paragraph 3 shall not apply to the national fleets of less than ten purse seiners or pelagic trawlers actively fishing for small pelagic stocks. In such cases, the capacity of active fleets may increase by no more than 50 % in number of vessels and in terms of GT and kW.

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5. Member States shall ensure that fishing vessels equipped with trawl nets and purse seines for small pelagic stocks as referred to in paragraph 2 do not operate for more than 20 fishing days per month and more than 180 fishing days per year.

6. Any fishing vessel not included in the list of authorised fishing vessels referred to in paragraph 1 of this Article shall not be allowed to fish for, or, by way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, retain on board or land any quantity greater than 20 % of anchovy or sardine or of both anchovy and sardine if the fishing vessel is engaged on a fishing trip in GSAs 17 and/or 18.

7. Member States shall communicate to the Commission any addition to, any deletion from or any modification of, the list of authorised fishing vessels referred to in paragraph 1 as soon as such addition, deletion or modification occurs. Those changes shall be without prejudice to the reference fishing capacity referred to in paragraph 1. The Commission shall forward that information to the GFCM Secretariat by 31 January of each year.

Article 75

Control, monitoring and surveillance of fisheries for small pelagic stocks in the Adriatic Sea

1. By 1 October of each year, Member States shall communicate to the Commission their plans and programmes to ensure compliance with Article 76 through adequate monitoring and reporting, in particular of the monthly catches and fishing effort deployed.

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2. The Commission shall submit the information referred to in paragraph 1 to the GFCM Secretariat by 30 October of each year.

Chapter VI
Blackspot seabream

Article 76

Scope

This section applies to all fishing activities targeting blackspot seabream (*Pagellus bogaraveo*) with longlines and handlines in the Alboran Sea in GSAs 1, 2 and 3 as provided for in Annex I.

Article 77

Technical and conservation measures

Member States involved in the blackspot seabream fishery may trial and adopt alternative gear or mitigation measures for gear or materials with a view to preventing negative impact on the seabed.

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Article 78

Fleet management measures

1. Member States shall establish a register of the fishing vessels authorised to operate with longlines and handlines and carry on board or land quantities of blackspot seabream. That register shall be maintained and updated.

2. Fishing vessels targeting blackspot seabream shall only be allowed to catch or retain on board blackspot seabream if they hold a valid fishing authorisation issued by the competent authorities. The authorisation shall include the data set out in Annex VIII.

3. Member States shall:

   (a) communicate to the Commission, by 31 January of each year, the list of operating vessels for which the authorisation has been delivered for the current or the following year(s); the Commission shall communicate the list to the GFCM Secretariat by the end of February of each year. The list shall contain the data set out in Annex VIII;

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(b) communicate to the Commission and the GFCM Secretariat, by 30 November of each year, a report on fishing activities carried out by the vessels referred to in paragraph 1, in an aggregated format, including the following minimum information:

(i) number of fishing days,

(ii) exploitation area, and

(iii) catches of blackspot seabream per year.

4. All vessels of more than 12 metres in LOA authorised to target blackspot seabream shall be equipped with a VMS or any other system of geo-localisation allowing control authorities to track their activities at all times during the fishing trip.

Article 79

Control and enforcement measures

1. Member States shall designate landing points in which landing blackspot seabream is authorised and immediately communicate any update of that list to the Commission. The Commission shall transmit that list to the GFCM Secretariat. Landings of blackspot seabream shall only take place in designated landing points.

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2. Prior to entry into any port, except for small-scale vessels, and at least four hours before the estimated time of arrival, the fishers or their representative shall notify the relevant authorities of the following information:

(a) estimated time of arrival;

(b) external identification number and name of the fishing vessel; and

(c) estimated live weight retained on board.

3. The information referred to in paragraph 2 may be submitted by the fishers or their representatives up to one hour before the estimated time of arrival, where the fishing grounds are less than four hours away from the port of arrival.

4. Without prejudice to Article 14 of Regulation (EC) No 1224/2009, fishers or masters of authorised fishing vessels actively fishing within the scope of this section shall report all daily catches, irrespective of the live weight of the catch and shall record or make estimations of the catches of that species.

5. Each Member State shall establish a programme based on risk analysis, in order to verify the landings and validate the logbooks.

6. Transhipment operations at sea shall be prohibited.

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Article 80

Scientific monitoring

Based on the information transmitted by the Member States and the Commission to the GFCM Secretariat, the SAC shall provide updated information and advice on at least the following:

(1) the characteristics of the fishing gear, inter alia the characteristics of the fixed nets and the number, type and size of the hooks used in handlines and longlines;

(2) the deployed fishing effort and catch levels by commercial fishing fleets; an estimation of catches of recreational fisheries;

(3) the conservation and management reference points with a view to ensuring the sustainability of fisheries in line with the objective of maximum sustainable yield and low risk of stock collapse;

(4) the socioeconomic effects of alternative management scenarios, including input/output control and/or technical measures, as identified by the GFCM and/or contracting parties;

(5) possible spatial or temporal closures aimed at ensuring the sustainability of the stock and of the fisheries exploiting it;

(6) the potential impact of recreational fisheries on the conservation status of blackspot seabream stock(s).

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Chapter VII
Dolphinfish

Article 81

Scope

This Chapter applies to all commercial fishing activities targeting common dolphinfish (*Coryphaena hippurus*) using fish aggregating devices (FADs) throughout the Mediterranean Sea (GSAs 1 to 27).

Article 82

Closed season

1. The common dolphinfish (*Coryphaena hippurus*) fisheries using FADs shall be prohibited from 1 January to 14 August of each year.

2. By way of derogation from paragraph 1, if a Member State can demonstrate that, due to bad weather, the fishing vessels flying its flag were unable to make use of their normal fishing days, that Member State may carry over days lost by its vessels in FAD fisheries until 31 January of the following year. In that case, before the end of the year Member States shall submit to the Commission an application in respect of the number of days to be carried over.

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3. Paragraphs 1 and 2 shall also apply in the management zone referred to in Article 26(1) of Regulation (EC) No 1967/2006.

4. The application referred to in paragraph 2 shall contain the following information:

(a) a report containing the details of the cessation of fishing activities in question, including appropriate supporting meteorological information;

(b) the name of the vessel and its CFR number.

5. The Commission shall decide on applications of the kind referred to in paragraph 2 within 6 weeks from the date of receipt of an application and shall inform the Member State in writing of that decision.

6. The Commission shall inform the GFCM Secretariat of decisions taken pursuant to paragraph 5. Before 1 November of each year, Member States shall send to the Commission a report on the carrying over of days lost in the previous year as referred to in paragraph 2.

7. The Commission may adopt implementing acts as regards detailed rules for the format and transmission of the applications referred to in paragraph 4 and of the report on such carrying over referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 138(2).

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Article 83

Transitional management measures

Member States considering starting to target common dolphinfish using FADs shall submit to the Commission their national measures once adopted and the Commission shall transmit those measures to the GFCM Secretariat without delay.

Article 84

Scientific monitoring, adaptation and revision of management measures

1. Member States shall monitor the biological and environmental impact of FADs used by vessels flying their flag and exploiting common dolphinfish.

2. With a view to facilitating the provision of advice by the SAC for the revision of the measures provided for in this Chapter, Member States shall collect the existing relevant data, including research survey data, in order to contribute to the SAC's collation of data.

Article 85

National management measures

Member States targeting common dolphinfish using FADs and lacking national management measures shall adopt national management measures including at least the set of measures containing the elements listed in Annex IX.

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Article 86

Fishing authorisations

1. Fishing vessels authorised to participate in the common dolphinfish fishery shall be granted a fishing authorisation in accordance with Article 7 of Regulation (EC) No 1224/2009 and shall be included in a list containing the name of the vessel and its CFR number, which the Member State concerned shall provide to the Commission by 30 June of each year. The Commission shall communicate that list to the GFCM Secretariat by 31 July of each year.

2. Vessels of less than 10 metres in LOA shall be required to have a fishing authorisation. This requirement shall also apply to the management zone referred to in Article 26(1) of Regulation (EC) No 1967/2006.

Article 87

Reporting of FAD fishing activities

1. Without prejudice to Regulation (EU) No 2017/1004 of the European Parliament and of the Council[1], Member States shall set up an appropriate system of collection and treatment of catch and fishing effort data.

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[1] Regulation (EU) No 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1).

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2. Member States shall report to the Commission by 15 January of each year the number of vessels involved in the fishery, as well as the total landings and transhipments of common dolphinfish carried out in the previous year by the fishing vessels flying their flag in each GSA of the GFCM Agreement area as set out in Annex I.

3. The Commission may adopt implementing acts as regards detailed rules for the format and transmission of such reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 138(2).

4. The Commission shall transmit the information received from the Member States to the GFCM Secretariat.

5. Fishers or masters of authorised fishing vessels exploiting common dolphinfish within the scope of this section shall record their fishing activities with FADs.

Article 88

FAD composition, location, maintenance and replacement

1. In cases where the surface structure of the FAD is covered with material, Member States shall ensure that the material concerned is removed or that the structure is covered only with material that involve minimal risk of entangling non-target species, especially vulnerable species, or affecting other vessels.

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2. FAD subsurface components shall be exclusively composed of materials that do not entangle non-target species.

3. When designing FADs, biodegradable materials shall be prioritised.

4. FADs shall be reliably located at their place of deployment. The design of FADs shall include an appropriate number of counterweights along the rope to ensure that the rope sinks to the sea bottom in the event that the raft section is detached and drifts away.

5. Fishers or masters of fishing vessels exploiting common dolphinfish shall ensure that FADs are regularly maintained, replaced as necessary and removed when not in use. The replacement FADs shall be of the same type, design, construction, materials and identification as the FAD being replaced. Replacement anchored FADs shall be in the same position as the FAD being replaced.

6. In the event of loss or impossibility to haul in a FAD, fishers or masters of fishing vessels shall record the last known position and its date. Fishing vessels exploiting common dolphinfish shall collect and report the last registered position of the lost FAD as well as the date of its last registered position, its identification number and any information allowing the identification of the FAD owner.

7. Member States shall adopt all necessary measures to ensure that obsolete and unused FADs are retrieved.

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8. It shall be prohibited for a vessel flying the flag of a Member State to catch fish attracted by a FAD that has not been set by that vessel.

Article 89

FAD identification and marking

1. Without prejudice to Article 8 of Regulation (EC) No 1224/2009, fishers or masters of fishing vessels exploiting common dolphinfish shall ensure that each FAD is marked in such a way that it can be readily identified.

2. Each FAD shall be marked externally with the registration number of the fishing vessel(s) using it. Such marking shall be visible without dismounting the beacon, seawater-proof and legible throughout the entire lifespan of the beacon. Visibility distance must be the shortest possible.

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Chapter VIII
Turbot

Article 90

Scope

This Chapter applies to all fishing activities targeting turbot (*Scophthalmus maximus*) in GSA 29 as provided for in Annex I.

Article 91

Measures to prevent, deter and eliminate IUU fishing in turbot fisheries

1. By 20 January of each year, each Member State shall send to the Commission, through the accustomed data-processing support, a list of the vessels using bottom-set gillnets authorised to fish turbot in the Black Sea (GSA 29, as provided for in Annex I).
By 31 January of each year, the Commission shall send that list to the GFCM Secretariat.

2. The list indicated in paragraph 1 shall include, in addition to the data set out in Annex I to Implementing Regulation (EU) 2017/218, the following data:

   (a) GFCM registration number;

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(b) previous name (if any);

(c) previous flag (if any);

(d) previous details of deletion from other registers (if any);

(e) main target species;

(f) main gear used for turbot, fleet segment and operational unit as defined in the Task 1 statistical matrix set out in section C of Annex III;

(g) time period authorised for fishing with gillnet or any other gear likely to fish turbot (if any of such authorisation).

3. Upon request by the GFCM, Member States shall report information on the fishing vessels authorised to engage in a fishing activity in a given period. In particular, Member States shall report the names of the fishing vessels concerned, their external identification number and the fishing opportunities allocated to each of them.

4. Unmarked abandoned gillnets used in turbot fisheries and found at sea shall be collected by the competent authorities of the coastal Member State. Subsequently, those nets shall either be seized until the owner is duly identified or destroyed if the owner cannot be identified.

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5. Each Member State concerned shall designate landing points, in which landings and transhipping of turbot caught in the Black Sea shall take place, in accordance with Article 43(5) of Regulation (EC) No 1224/2009. A list of such designated landing points shall be communicated to the GFCM Secretariat and the Commission not later than 30 November of each year.

6. It shall be prohibited to land or tranship from fishing vessels any quantity of turbot caught in the Black Sea at any other place than the designated landing points referred to in paragraph 5.

Article 92

National monitoring, control and surveillance plans for turbot fisheries

1. Member States shall establish national monitoring, control and surveillance plans ('national plans') in order to implement the provisions of Article 91 by ensuring, *inter alia*, a proper and accurate monitoring and recording of the monthly catches and/or fishing effort deployed.

2. The following elements shall be contained in the national plans:

(a) clear definition of the means of control, with description of human, technical and financial means specifically available for the implementation of the national plans;

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(b) clear definition of the inspection strategy (including inspection protocols), which shall concentrate on fishing vessels likely to catch turbot and associated species;

(c) action plans for the control of markets and transport;

(d) definition of inspection tasks and procedures, including the sampling strategy applied to verify the weighing of catches at first sale and the sampling strategy for vessels that are not subject to logbook/landing declaration rules;

(e) explanatory guidelines for inspectors, producer organisations and fishers regarding the set of rules in place for fisheries likely to catch turbot, including:

(i) rules for the completion of documents, including inspection reports, fishing logbooks, transhipment declarations, landing and take-over declarations, transport documents and sales notes;

(ii) technical measures in force, including mesh size and/or mesh dimensions, minimum catch size, temporary restrictions;

(iii) sampling strategies;

(iv) cross-check mechanisms;

(f) training of national inspectors with a view to carrying out the tasks referred to in Annex II.

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3. By 20 January of each year, the Member States shall communicate the national plans to the Commission or a body designated by it. The Commission or a body designated by it shall forward those plans to the GFCM Secretariat by 31 January of each year.

Article 93

Scientific monitoring of turbot fisheries

The Member States shall communicate to the SAC and the Commission, not later than 30 November of each year, any additional information in support of the scientific monitoring of turbot fisheries in the Black Sea.

Article 94

Closure period during the spawning season of turbot

1. Within the period from April to June, each Member State shall establish each year, based on the scientific advice provided by the GFCM Working Group on the Black Sea (‘WGBS’), a closure period of at least two months during the spawning season of turbot.

2. The closure period under paragraph 1 may be amended based on scientific advice provided by the WGBS.

3. Member States may designate additional spatial or temporal restrictions in which fishing activities may be banned or restricted in order to protect aggregation areas of juveniles of turbot.

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Chapter IX
Piked dogfish

Article 95

Scope

This Chapter applies to all fishing activities targeting piked dogfish (*Squalus acanthias*) in GSA 29 as provided for in Annex I.

Article 96

Minimum conservation reference size for the piked dogfish

Specimens of piked dogfish in the Black Sea smaller than 90 cm shall not be retained on board, transhipped, landed, stored, sold nor displayed or offered for sale. When accidentally caught, such specimens of piked dogfish shall be promptly released unharmed and alive, to the extent possible. Masters of fishing vessels shall record incidental taking, release and/or discarding events for piked dogfish in the logbook. Member States shall notify that information to the GFCM and the Commission within their annual reporting to the SAC and through the GFCM data collection framework.

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TITLE III
COMMON PROVISIONS

Chapter I
Technical and conservation measures

SECTION I
REDUCTION OF THE IMPACT OF FISHING ACTIVITIES ON CERTAIN MARINE SPECIES

SUBSECTION 1
SHARKS, SKATES AND RAYS

Article 97

Scope

This subsection applies to all fishing activities targeting any elasmobranch species, as well as shark and ray species which are included in Annexes II and III to the Protocol concerning specially protected areas and biological diversity in the Mediterranean[1], in all GSAs as provided for in Annex I to this Regulation.

[1] OJ L 322, 14.12.1999, p. 3.

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Article 98

Protected elasmobranch species

1. Member States shall ensure a high protection from fishing activities for elasmobranch species listed in Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean.

2. Elasmobranch species which are included in Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean shall not be retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale.

3. To the extent possible, fishing vessels that have incidentally caught elasmobranch species included in Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean shall promptly release them unharmed and alive.

Article 99

Identification of sharks

1. Without prejudice to Article 98, beheading and skinning of sharks on board and before landing shall be prohibited. Beheaded and skinned sharks shall not be marketed at the first sale markets after landing.

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2. Without prejudice to Article 98, Member States shall ensure that sharks are kept on board, transhipped, landed and marketed at first sale in such a way that species are recognisable and identifiable, and that the catch, incidental catch and, whenever appropriate, release of those species can be monitored and recorded.

Article 100

Reporting obligations

Member States shall communicate to the Commission, by 15 March of each year, on the modalities of the derogations to Article 13(1) of Regulation (EC) No 1967/2006 and Article 120 of this Regulation applied to the prohibition on fishing activities carried out with trawl nets, in accordance with the conditions for allowing those derogations laid down in Article 13(5) and (10) of Regulation (EC) No 1967/2006 and Article 120 of this Regulation. The Commission shall notify those modalities to the GFCM Secretariat by 31 March of each year. Such notification shall include:

(1) a list of authorised trawling vessels with their characteristics;

(2) relevant zones identified by geographic coordinates, both on land and at sea, and by GFCM statistical rectangles;

(3) measures taken to monitor and mitigate the impact on the marine environment.

Any modification of the modalities referred to in the first subparagraph shall be notified as soon as possible to the Commission which shall transmit that information to the GFCM Secretariat.

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SUBSECTION 2

INCIDENTAL CATCHES

Incidental catches of certain marine species

Article 101

Scope

This subsection shall apply without prejudice to any stricter measures stemming from Directive 92/43/EEC or Directive 2009/147/EC of the European Parliament and of the Council[1].

Article 102

Incidental catches of seabirds in fishing gear

1. Masters of fishing vessels shall promptly release seabirds incidentally caught in fishing gear.

2. Fishing vessels shall not bring seabirds ashore except within the framework of national plans for the conservation of seabirds or to secure assistance for the recovery of harmed individual seabirds, and provided that the competent national authorities have been duly and officially informed, prior to the fishing vessel concerned returning to port, of the intention to bring such seabirds ashore.

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[1] Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

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Article 103

Incidental catches of sea turtles in fishing gear

1. To the extent possible, sea turtles incidentally caught in fishing gear shall be safely handled and released unharmed and alive.

2. Masters of fishing vessels shall not bring ashore sea turtles unless as part of a specific rescue or national conservation programme or unless this is otherwise required in order to rescue, and secure assistance for the recovery of, harmed and comatose individual sea turtles and provided that the competent national authorities concerned have been duly and officially informed prior to the fishing vessel concerned returning to port.

3. As far as practicable, fishing vessels using purse seines for small pelagic species or surrounding nets without purse line for pelagic species shall avoid encircling sea turtles.

4. Fishing vessels using long-lines and bottom-set gillnets shall carry on board safe-handling, disentanglement and release equipment designed to ensure that sea turtles are handled and released in a manner that maximises the probability of their survival.

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Article 104

Incidental catches of monk seals (Monachus monachus)

1. Masters of fishing vessels shall not take on board, tranship or land monk seals, unless this is required in order to rescue, and to secure assistance for the recovery of, harmed individual animals and provided that the competent national authorities concerned have been duly and officially informed prior to the fishing vessel concerned returning to port.

2. Monk seals incidentally caught in fishing gear shall be released unharmed and alive. The carcasses of dead specimens shall be landed and seized for the purpose of scientific studies or destroyed by the competent national authorities.

Article 105

Incidental catches of cetaceans

1. Fishing vessels shall promptly return to the sea unharmed and alive, as far as practicable, cetaceans incidentally caught in fishing gear and brought alongside the fishing vessel.

2. Member States shall set up adequate monitoring systems in order to collect reliable information on the impact on cetacean populations in the Black Sea of fishing vessels targeting piked dogfish with bottom-set gillnets, and shall submit that information to the Commission. The Commission shall transmit this information to the GFCM Secretariat without delay.

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Article 106

Recording of incidental catches of certain marine species

1. Without prejudice to Article 15(5) of Regulation (EC) No 1224/2009, masters of fishing vessels shall record in the fishing logbook referred to in Article 14 of that Regulation the following information:

   (a) any event of incidental catch and release of seabirds;

   (b) any event of incidental catch and release of sea turtles;

   (c) any event of incidental catch and release of monk seals;

   (d) any event of incidental catch and release of cetaceans;

   (e) any event of incidental catch and, where required, release of sharks and rays of the species listed in Annex II or Annex III to the Protocol concerning specially protected areas and biological diversity in the Mediterranean.

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2. National reports intended to be analysed by the SAC should, in addition to the information recorded in the logbook, also contain:

(a) in relation to incidental catches of sea turtles, information on:

(i) fishing gear type,

(ii) times of the incidents,

(iii) soak duration,

(iv) depths and locations,

(v) target species,

(vi) sea turtles species, and

(vii) whether the sea turtles have been discarded dead or released alive;

(b) in relation to incidental catches of cetaceans, information on:

(i) characteristics of gear type,

(ii) times of the incidents,

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(iii) locations (either by GSA, as provided for in Annex I to this Regulation, or statistical rectangles), and

(iv) whether any such cetacean is a dolphin or another species of cetacean.

3. Member States shall establish the rules referred to in paragraph 1 on the recording of incidental catches by the masters of fishing vessels which are not subject to the obligation to keep a fishing logbook pursuant to Article 14 of Regulation (EC) No 1224/2009.

4. By 15 December of each year, the Member States concerned shall submit to the Commission, in the form of an electronic report, the rates of incidental catches and release of seabirds, sea turtles, monk seals, cetaceans, sharks and rays, as well as the information referred to in paragraphs 1 and 2. The Commission shall transmit that information to the GFCM Secretariat by 31 December of each year.

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SECTION II

FISHERIES RESTRICTED AREAS

SUBSECTION 1

GULF OF LIONS

Article 107

Establishment of a fisheries restricted area

A fisheries restricted area is established in the eastern Gulf of Lions, bounded by lines joining the geographic coordinates set out in Part A of Annex XI.

Article 108

Fishing effort

For demersal stocks, the fishing effort of vessels using towed nets, bottom- and mid-water longlines and bottom-set nets in the fisheries restricted area as referred to in Article 107 shall not exceed the level of fishing effort applied in 2008 by each Member State in that area.

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Article 109

Fishing track record

Member States shall, not later than 16 February 2012, submit to the Commission in electronic format a list of vessels flying their flag that had a track record of fishing during the year 2008 in the area referred to in Article 107 and in GSA 7 as defined in Annex I. That list shall contain the name of the vessel, its CFR number, the period for which the vessel was authorised to fish in the area referred to in Article 107 and the number of days spent by each vessel in the year 2008 in GSA 7 and more specifically in the area referred to in Article 107.

Article 110

Authorised vessels

1. Vessels authorised to fish in the area referred to in Article 107 of this Regulation shall be issued with a fishing authorisation by their Member State in accordance with Article 7 of Regulation (EC) No 1224/2009.

2. Fishing vessels which do not have records of fishing within the area referred to in Article 107 prior to 31 December 2008 shall not be authorised to start fishing therein.

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3. Member States shall, not later than 16 February 2012, communicate to the Commission the national legislation in force on 31 December 2008 concerning:

(a) the maximum number of hours per day a vessel is permitted to engage in fishing activity;

(b) the maximum number of days per week a vessel is permitted to stay at sea and be absent from port; and

(c) the compulsory times for fishing vessels to exit from, and return to, their registered port.

Article 111

Protection of sensitive habitats

Member States shall ensure that the area referred to in Article 107 is protected from the impact of any other human activity jeopardising the conservation of the features that characterise that area as an area of spawners' aggregation.

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Article 112

Information

By 31 January of each year, Member States shall submit to the Commission in electronic format a report on the fishing activities carried out in the area referred to in Article 107.

The Commission may adopt implementing acts as regards detailed rules for the format and transmission of the report on such fishing activities. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 138(2).

SUBSECTION 2

STRAIT OF SICILY

Article 113

Fisheries restricted areas

Fishing with bottom trawl nets shall be prohibited in the:

(1) fisheries restricted area ‘East of Adventure Bank’ bound by lines joining the coordinates set out in Part B of Annex XI;

(2) fisheries restricted area ‘West of Gela Basin’ bound by lines joining the coordinates set out in Part B of Annex XI;

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(3) fisheries restricted area ‘East of Malta Bank’ bound by lines joining the coordinates set out in Part B of Annex XI.

Article 114

Buffer areas

1. A buffer area bound by lines joining the coordinates set out in Part C of Annex XI shall be established around the fisheries restricted area ‘East of Adventure Bank’ as referred to in Article 113.

2. A buffer area bounded by lines joining the coordinates set out in Part C of Annex XI shall be established around the fisheries restricted area ‘West of Gela Basin’ as referred to in Article 113.

3. A buffer area bounded by lines joining the coordinates set out in Part C of Annex XI shall be established around the fisheries restricted area ‘East of Malta Bank’ as referred to in Article 113.

4. Vessels carrying out fishing activities with bottom trawl nets in the buffer areas referred to in this Article shall ensure appropriate transmission frequency of their VMS signals. Vessels not equipped with a VMS transponder and aiming to fish with bottom trawl nets in the buffer areas shall be equipped with any other system of geo-localisation allowing control authorities to track their activities.

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SUBSECTION 3

ADRIATIC SEA

Article 115

Fishing restrictions in the Jabuka/Pomo Pit area

1. Recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the coordinates set out in Part D of Annex XI.

2. From 1 September to 31 October of each year, fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the coordinates set out in Part D of Annex XI.

3. From 1 September to 31 October of each year, recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps shall be prohibited in an area bounded by lines joining the coordinates set out in Part D of Annex XI.

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Article 116

Authorised vessels in the Jabuka/Pomo Pit area

1. Without prejudice to Article 115(2) and (3), commercial fishing activities carried out with bottom set nets, bottom trawl nets, set longlines and traps shall only be allowed, in the areas referred to in those paragraphs, if the vessel is in possession of a specific authorisation and if it can demonstrate that it has historically carried out fishing activities in the areas concerned.

2. In the area referred to in Article 115(2), authorised fishing vessels shall not be entitled to fish for more than two fishing days per week. Authorised fishing vessels using otter twin trawl gear shall not be entitled to fish for more than one fishing day per week.

3. In the area referred to in Article 115(3), authorised vessels fishing with bottom trawl nets shall be entitled to fish only on Saturdays and Sundays between 05:00 and 22:00. Authorised vessels fishing with bottom set nets, set longlines and traps shall be allowed to fish only between Mondays at 05:00 and Thursdays at 22:00.

4. The vessels authorised to fish in the area referred to in Article 115(2) and (3) with the gear referred to in paragraph 1 of this Article shall be issued with a fishing authorisation by their Member State in accordance with Article 7 of Regulation (EC) No 1224/2009.

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5. Member States shall send to the Commission, not later than 31 March of each year, the list of vessels for which they issued the authorisation referred to in paragraph 1. The Commission shall communicate to the GFCM Secretariat, not later than 30 April of each year the list of authorised vessels established for the forthcoming year. For each vessel, the list shall contain the information referred to in Annex VIII.

6. Authorised fishing vessels shall only land catches of demersal stocks in designated landing points. To that end, each Member State concerned shall designate landing points in which landings of catches from the Fisheries Restricted Area of Jabuka/Pomo Pit are authorised. The list of those designated landing points shall be communicated to the Commission by 10 April of each year. The Commission shall transmit that list to the GFCM Secretariat by 30 April of each year.

7. Fishing vessels authorised to fish in the areas referred to in Article 115(2) and (3) with the gear referred to in paragraph 1 of this Article shall have VMS and/or Automatic Identification System (AIS) working correctly, and the fishing gear on board or in use shall be duly identified, numbered and marked before starting any fishing operation or navigating in those areas.

8. Fishing vessels equipped with bottom set nets, bottom trawl nets, set longlines and traps without authorisations shall be allowed to transit through the Fisheries Restricted Area only if they follow a direct course at a constant speed of not less than 7 knots and with VMS and/or AIS active on board, and if they do not carry out fishing activities of any kind.

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SUBSECTION 4

DEEP-SEA SENSITIVE HABITATS

Article 117

Establishment of fisheries restricted areas in deep-sea sensitive habitats

Fishing with towed dredges and bottom trawl nets shall be prohibited in the following areas:

(1) deep-sea fisheries restricted area ‘Lophelia reef off Capo Santa Maria di Leuca’ bounded by lines joining the coordinates set out in Part E of Annex XI;

(2) deep-sea fisheries restricted area ‘The Nile delta area cold hydrocarbon seeps’ bounded by lines joining the coordinates set out in Part E of Annex XI;

(3) deep-sea fisheries restricted area ‘The Eratosthenes Seamount’ bounded by lines joining the coordinates set out in Part E of Annex XI.

Article 118

Protection of sensitive habitats

Member States shall ensure that their competent authorities are called upon to protect the deep-sea sensitive habitats in the areas referred to in Article 117 from, in particular, the impact of any other activity jeopardising the conservation of the features that characterise those habitats.

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SECTION III

SPATIAL OR TEMPORAL CLOSURES

Article 119

Temporal closure

From 1 July to 30 September of each year, fishing with bottom trawl nets shall be prohibited between the coast and the 200 metre depth isobath of GSA 14 (Gulf of Gabès as referred to in Annex I).

SECTION IV

FISHING GEAR

Article 120

Use of trawl nets and gill-nets fisheries in the Black Sea

1. The use of trawl nets shall be prohibited:

   (a) within three nautical miles off the coast, provided that the 50 metre isobath is not reached; or

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(b) within the 50 metre isobath where the depth of 50 metres is reached at a shorter distance from the coast.

2. Member States may exceptionally authorise their fishing vessels to fish within the zone referred to in paragraph 1 by granting derogations in accordance with Recommendation GFCM/42/2018/2, provided that they duly inform the Commission of any such derogation.

3. Where the Commission considers that a derogation granted in accordance with paragraph 2 does not fulfil the condition set out in that paragraph, it may, subject to providing relevant reasons and after consulting with the Member State concerned, request it to amend that derogation.

4. The Commission shall inform the GFCM Secretariat of any derogations granted in accordance with paragraph 2.

5. From 1 January 2015, the monofilament or twines diameter of bottom-set gillnets shall not exceed 0,5 mm.

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Chapter II

Financing concerning conservation measures resulting in temporary cessation of fishing activities

Article 121

Financing concerning conservation measures resulting in temporary cessation of fishing activities

Measures provided for in Articles 5, 17, 26, 36, 45, 59, 67, 82, 94 and 119 of this Regulation, resulting in the temporary cessation of fishing activities, shall be considered as conservation measures within the meaning of Article 7(1), point (j), of Regulation (EU) No 1380/2013 for the purposes of financing the temporary cessation in accordance with Article 21(2), point (a), of Regulation (EU) 2021/1139 of the European Parliament and of the Council[1].

[1] Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004 (OJ L 247, 13.7.2021, p. 1).

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Chapter III
Control measures

SECTION I
REGISTER OF AUTHORISED VESSELS

Article 122

Register of authorised vessels

1. By 30 November of each year, Member States shall send to the Commission through the accustomed data-processing support, an updated list of the vessels of more than 15 metres in LOA flying its flag and registered in its territory that it authorises to fish in the GFCM Agreement area by issuance of a fishing authorisation.

2. The list indicated in paragraph 1 shall include the following information:

   (a) the vessel's CFR number and its external marking, as defined in Implementing Regulation (EU) 2017/218;

   (b) the period during which fishing and/or transhipment is authorised;

   (c) the fishing gear used.

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3. The Commission shall send the updated list to the GFCM Secretariat by 31 December of each year so that the vessels concerned can be entered on the GFCM register of vessels of more than 15 metres in LOA authorised to fish in the GFCM Agreement area (GFCM register).

4. Any change to be made to the list referred to in paragraph 1 shall be notified to the Commission for transmission to the GFCM Secretariat, through the accustomed data-processing support, at least 10 working days before the vessel begins fishing activity in the GFCM Agreement area.

5. EU fishing vessels of more than 15 metres in LOA that are not entered on the list referred to in paragraph 1 shall not fish, retain on board, tranship or land any type of fish or shellfish within the GFCM Agreement area.

6. Member States shall take the necessary measures to ensure that:

(a) only vessels flying their flag that are included in the list referred to in paragraph 1 and that hold on board a fishing authorisation issued by them are permitted, under the terms of the authorisation, to carry out fishing activities in the GFCM Agreement area;

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(b) no fishing authorisation is issued to vessels that have carried out IUU fishing in the GFCM Agreement area or elsewhere, unless the new owners provide adequate documentary evidence that the previous owners and operators no longer have any legal, beneficial or financial interest in, or exercise any control over, their vessels, or that their vessels neither take part in nor are associated with IUU fishing;

(c) as far as possible, their national legislation prohibits owners and operators of vessels flying their flag that are included in the list referred to in paragraph 1 from taking part in, or being associated with, fishing activities carried out in the GFCM Agreement area by vessels not on the GFCM register;

(d) as far as possible, their national legislation requires owners of vessels flying their flag that are included in the list referred to in paragraph 1 to be nationals or legal entities within the flag Member State;

(e) their vessels comply with all the relevant GFCM conservation and management measures.

7. Member States shall take the necessary measures to prohibit fishing, retention on board, transhipment and landing of fish and shellfish caught in the GFCM Agreement area carried out by vessels of more than 15 metres in LOA that are not on the GFCM register.

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8. Member States shall, without delay, communicate to the Commission or the body designated by it when relevant any information showing that there are strong reasons for suspecting that vessels of more than 15 metres in LOA that are not on the GFCM register are fishing for or transhipping fish and shellfish in the GFCM Agreement area.

SECTION II

PORT STATE MEASURES

Article 123

Scope

This section shall apply to third-country fishing vessels.

Article 124

Prior notice

By way of derogation from Article 6(1) of Regulation (EC) No 1005/2008, the period for prior notification shall be at least 72 hours before the estimated time of arrival at the port. However, a Member State may set a different notification period taking into account, inter alia, the distance between the fishing grounds and its ports. In such a case, the Member State shall inform the Commission and the GFCM Secretariat, which will integrate that information in the register of ports.

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Article 125

Port inspections

1. Notwithstanding Article 9(1) of Regulation (EC) No 1005/2008, Member States shall carry out inspections in their designated landing points of at least 15 % of landings and transhipment operations of each year.

2. Notwithstanding Article 9(2) of Regulation (EC) No 1005/2008, fishing vessels that enter into a Member State's port without prior authorisation shall be inspected in all cases.

Article 126

Inspection procedure

In addition to the requirements provided for in Article 10 of Regulation (EC) No 1005/2008, port inspections shall comply with the requirements set out in Annex II to this Regulation.

Article 127

Denial of use of port

1. Member States shall not allow a third-country vessel to use their ports for landing, transhipping or processing fisheries products caught in the GFCM Agreement area and shall deny it access to port services, including, inter alia, refuelling and re-supplying services, if the vessel:

   (a) does not comply with the requirements of this Regulation;

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(b) is included in a list of vessels that have engaged in, or have supported, IUU fishing adopted by a regional fisheries management organisation; or

(c) does not have a valid authorisation to engage in fishing or fishing-related activities in the GFCM Agreement area.

By way of derogation from the first subparagraph, nothing shall prevent Member States from allowing, in situations of force majeure or distress within the meaning of Article 18 of the United Nations Convention on the Law of the Sea, a third-country vessel from using their ports for services strictly necessary to remedy such situations.

2. Paragraph 1 shall apply in addition to the provisions on denial of use of port provided for by Article 4(2) and Article 37(5) and (6) of Regulation (EC) No 1005/2008.

3. Where a Member State has denied the use of its ports to a third-country vessel in accordance with paragraph 1 or 2, it shall promptly notify the master of the vessel, the flag State, the Commission and the GFCM Secretariat of such action.

4. Where the grounds for denial referred to in paragraph 1 or 2 no longer apply, the Member State shall withdraw its denial and notify the addressees referred to in paragraph 3 of that withdrawal.

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SECTION III

IUU

Article 128

Reporting obligation of presumed IUU fishing activities

1. Without prejudice to Article 48(3) of Regulation (EC) No 1005/2008, the Member States shall submit to the Commission and the body designated by it when relevant, at least 140 days before the GFCM annual session, the following information:

   (a) information on vessels presumed to be carrying out IUU fishing activities in the GFCM Agreement area during the current and previous year;

   (b) evidence reported by Member States supporting the presumption of IUU fishing activities.

   The Commission shall transmit that information every year to the GFCM Secretariat, at least 120 days before the GFCM annual session.

2. Where appropriate, the Commission shall forward to the GFCM Secretariat at least 120 days before the GFCM annual session any additional information received from Member States and which might be relevant for the establishment of the IUU vessel list.

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3. Without prejudice to the type of information to be included on the Union IUU vessel list in line with Article 29(1) of Regulation (EC) No 1005/2008, the information referred to in paragraphs 1 and 2 shall contain the following details, where available:

(a) name of vessel and previous name(s);

(b) flag of vessel and previous flag(s);

(c) name and address of the vessel owner and previous owners, including beneficial owners;

(d) vessel owner(s)' place of registration;

(e) vessel operator and previous operator(s);

(f) vessel call sign and previous call sign;

(g) International Maritime Organization (IMO) number;

(h) maritime, mobile service identity (MMSI) number;

(i) LOA;

(j) photographs of the vessel;

(k) date vessel was first included in the GFCM IUU list;

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(l) date of alleged IUU fishing activity;

(m) position of alleged IUU fishing activity;

(n) summary of activities which justify the inclusion of the vessel on the list, together with references to all relevant documents informing and evidencing those activities; and

(o) outcome of any action undertaken.

Article 129

Alleged non-compliance reported by the GFCM Secretariat

1. If the Commission receives from the GFCM Secretariat any evidence supporting the presumption of IUU fishing activities by a fishing vessel flying the flag of a Member State, the Commission shall, without delay, transmit that information to the Member State concerned.

2. The Member State concerned may provide the Commission with evidence, at least 45 days before the GFCM annual session, including evidence showing that the listed vessels have not fished in contravention to GFCM conservation and management measures or had the possibility of fishing in the GFCM area of application. The Commission shall forward that information to the GFCM Secretariat at least 30 days before the GFCM annual session.

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Article 130

Draft GFCM IUU list

Upon receipt of the draft IUU vessel list from the GFCM Secretariat, Member States shall closely monitor the vessels included in the draft IUU list and determine their activities and possible changes of name, flag and/or registered owner.

Chapter IV

Cooperation, information and reporting

Article 131

Cooperation and information

1. The Commission, the body designated by it where relevant, and Member States shall cooperate and exchange information with the GFCM Secretariat, in particular by:

   (a) requesting information from, and providing information to, relevant databases;

   (b) requesting cooperation and cooperating in order to promote the effective implementation of this Regulation.

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2. Member States shall ensure that their national fisheries-related information systems allow for the direct electronic exchange of information on port state inspections referred to in Section II, Chapter III of Title III between them and the GFCM Secretariat, taking due account of appropriate confidentiality requirements.

3. Member States shall take measures to share, by electronic means, information among relevant national agencies and to coordinate the activities of such agencies in the implementation of the measures set out in Chapter II of Title III.

4. Member States shall establish a list of contact points for the purpose of this Regulation, which shall be transmitted electronically, without delay, to the Commission and to the GFCM Secretariat and the contracting parties of the GFCM.

5. The Commission may adopt implementing acts as regards detailed rules for cooperation and the exchange of information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 138(2).

Article 132

Format and transmission of information to the Commission

The Commission may adopt implementing acts in respect of the format and transmission of the information referred to in Article 50, Article 105(2) and Article 106. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 138(2).

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Article 133

Access to information and data related to monitoring, control and surveillance within the framework of joint inspection and surveillance schemes

1. This Article shall apply to Member States engaged in pilot projects or international schemes for joint inspection and surveillance in the GFCM area of application.

2. Member States shall ensure the secure treatment of the information, data, reports and messages related to monitoring, control and surveillance within the framework of joint inspection and surveillance schemes.

3. This Article shall be without prejudice to the obligations of Member States relating to their processing of personal data under Union law.

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Chapter V
Regional Research Programmes

SECTION I
BLUE CRAB IN THE MEDITERRANEAN SEA

Article 134

Regional research programme

Member States with fishing vessels engaged in commercial fishing activities exploiting blue crab (*Portunus segnis* and *Callinectes sapidus*) in the Mediterranean Sea shall participate in the regional research programme aiming for the sustainable exploitation of blue crab in the Mediterranean Sea, in a way that takes into account fisheries, socio-economic and environmental objectives.

Article 135

Scientific monitoring

Member States with fishing vessels engaged in commercial fishing activities targeting blue crab shall establish an adequate scientific monitoring of blue crab catches in the Mediterranean Sea which facilitates the implementation of the regional research programme on the following:

(1) deployed fishing effort and overall catch levels at the national level; and

(2) biological and socio-economic effects of alternative management scenarios and technical measures, as identified by Member States.

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SECTION II

RAPA WHELK IN THE BLACK SEA

Article 136

Regional research programme

Member States with fishing vessels engaged in commercial fishing activities targeting the rapa whelk (*Rapana venosa*) in GSA 29 shall participate in the regional research programme aiming at the sustainable exploitation of rapa whelk in the Black Sea, in a way that takes into account fisheries, socio-economic and environmental objectives.

Article 137

Scientific monitoring

Member States with fishing vessels engaged in commercial fishing activities targeting rapa whelk in GSA 29 shall establish an adequate scientific monitoring of rapa whelk catches and facilitate the implementation of the regional research programme and the work of the WGBS in providing information and advice on the following:

(1) deployed fishing effort and overall catch levels at the national level;

(2) data on overall bycatch quantities by fishing gear and species, excluding scuba diving;

(3) biological and socio-economic effects of alternative management scenarios and technical measures, as identified by Member States; and

(4) possible spatial or temporal closures in order to preserve fisheries sustainability.

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TITLE IV
FINAL PROVISIONS

Article 138

Committee procedure

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 47(1) of Regulation (EU) No 1380/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 139

Delegation of powers

As far as is necessary, in order to implement into Union law amendments to already implemented GFCM measures which become binding for the Union, the Commission is empowered to adopt delegated acts amending this Regulation, in accordance with Article 140, in respect of the following:

(1) the provision to the GFCM Secretariat of information under Article 120(4);

(2) the arrangements concerning the list of authorised vessels to be transmitted to the GFCM Secretariat under Articles 9, 15, 24 and 34, Article 61(3), Article 70, Article 78(3), and Articles 86 and 122, and the data to be included under Annex VIII;

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(3) the implementation of the permanent CDS for red coral under Article 55 and Annex X;

(4) port state measures set out in Articles 123 to 127;

(5) the table, the map and the geographical coordinates of GSAs set out in Annex I;

(6) port state inspection procedures for vessels set out in Annex II;

(7) GFCM statistical matrices set out in Annex III; and

(8) references to international acts set out in Article 120(2).

Article 140

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 41, 42 and 139 shall be conferred on the Commission for a period of three years from … [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the three-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

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3. The delegation of powers referred to in Articles 41, 42 and 139 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of the delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Articles 41, 42 and 139 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

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Article 141

Repeal

Regulation (EU) No 1343/2011 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex XV to this Regulation.

Article 142

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at …

For the European Parliament	*For the Council*
The President	*The President*

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ANNEX I

A) Table of GFCM GSAs

FAO SUB-AREA	FAO STATISTICAL DIVISIONS	GSAs	
WESTERN	1.1 BALEARIC	1	Northern Alboran Sea
		2	Alboran Island
		3	Southern Alboran Sea
		4	Algeria
		5	Balearic Island
		6	Northern Spain
		11.1	Sardinia (west)
	1.2 GULF OF LIONS	7	Gulf of Lions
	1.3 SARDINIA	8	Corsica Island
		9	Ligurian and North Tyrrhenian Sea
		10	South Tyrrhenian Sea
		11.2	Sardinia (east)
		12	Northern Tunisia
CENTRAL	2.1 ADRIATIC	17	Northern Adriatic
		18	Southern Adriatic Sea (part)
	2.2 IONIAN	13	Gulf of Hammamet
		14	Gulf of Gabes
		15	Malta Island
		16	South of Sicily
		18	Southern Adriatic Sea (part)
		19	Western Ionian Sea
		20	Eastern Ionian Sea
		21	Southern Ionian Sea
EASTERN	3.1 AEGEAN	22	Aegean Sea
		23	Crete Island
	3.2 LEVANT	24	North Levant
		25	Cyprus Island
		26	South Levant
		27	Levant
BLACK SEA	4.1 MARMARA	28	Marmara Sea
	4.2 BLACK SEA	29	Black Sea
	4.3 AZOV SEA	30	Azov Sea

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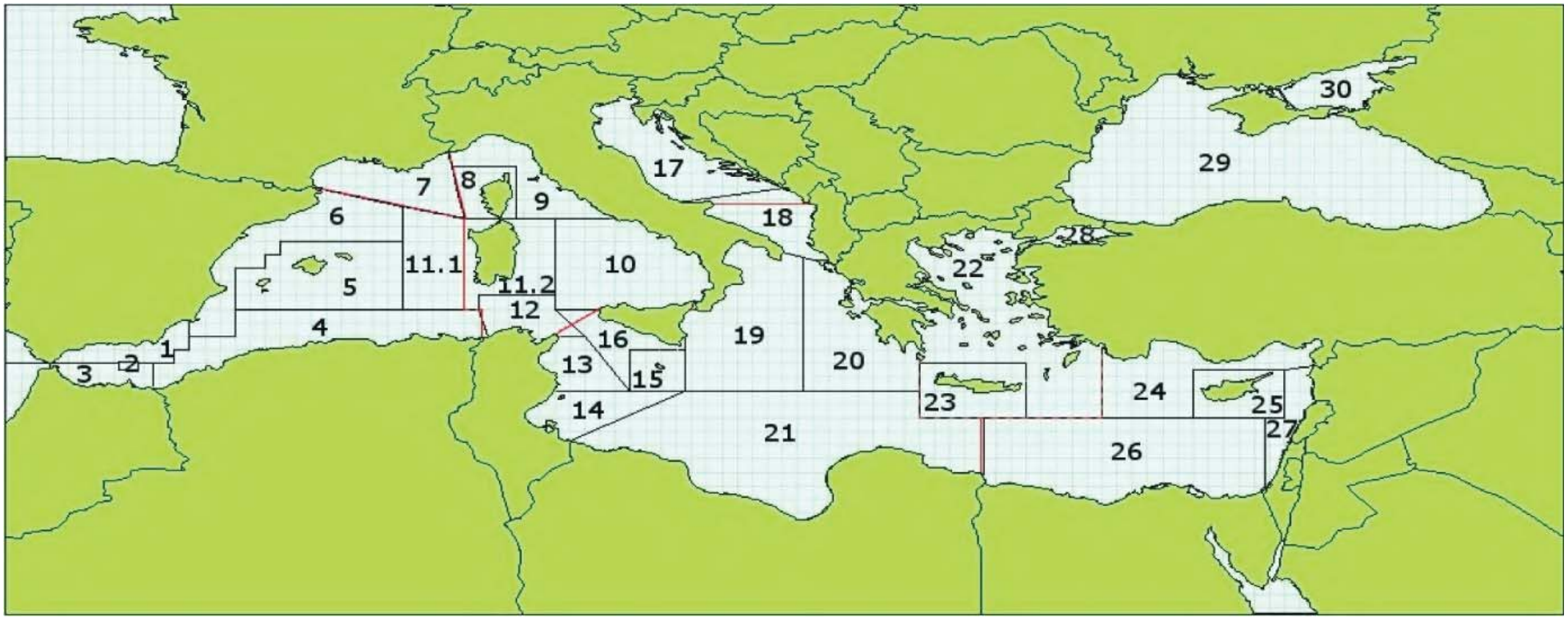
B) Map of GFCM GSAs (GFCM, 2009)



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— FAO Statistical Divisions (red) — GFCM GSA (black)

01 – Northern Alboran Sea	09 – Ligurian and North Tyrrhenian Sea	16 – South of Sicily	24 – North Levant
02 – Alboran Island	10 – South and Central Tyrrhenian Sea	17 – Northern Adriatic	25 – Cyprus Island
03 – Southern Alboran Sea	11.1 – Sardinia (west)	18 – Southern Adriatic Sea	26 – South Levant
04 – Algeria	11.2 – Sardinia (east)	19 – Western Ionian Sea	27 – Levant
05 – Balearic Island	12 – Northern Tunisia	20 – Eastern Ionian Sea	28 – Marmara Sea
06 – Northern Spain	13 – Gulf of Hammamet	21 – Southern Ionian Sea	29 – Black Sea
07 – Gulf of Lions	14 – Gulf of Gabes	22 – Aegean Sea	30 – Azov Sea
08 – Corsica Island	15 – Malta Island	23 – Crete Island	

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C) Geographical coordinates for GFCM GSAs (GFCM, 2009)

GSAs	LIMITS	GSAs	LIMITS	GSAs	LIMITS	GSAs	LIMITS
1	Coast Line 36º N 5º 36’ W 36º N 3º 20’ W 36º 05’ N 3º 20’ W 36º 05’ N 2º 40’ W 36º N 2º 40’ W 36º N 1º 30’ W 36º 30’ N 1º 30’ W 36º 30’ N 1º W 37º 36’ N 1º W	4	Coast Line 36º N 2º 13’ W 36º N 1º 30’ W 36º 30’ N 1º 30’ W 36º 30’ N 1º W 37º N 1º W 37º N 0º 30’ E 38º N 0º 30’ E 38º N 8º 35’ E Algeria-Tunisia border Morocco-Algeria border	7	Coast line 42º 26’ N 3º 09’ E 41º 20’ N 8º E France-Italy border	10	Coast line (including North Sicily) 41º 18’ N 13º E 41º 18’ N 11º E 38º N 11º E 38º N 12º 30’ E
2	36º 05’ N 3º 20’ W 36º 05’ N 2º 40’ W 35º 45’ N 3º 20’ W 35º 45’ N 2º 40’ W	5	38º N 0º 30’ E 39º 30’ N 0º 30’ E 39º 30’ N 1º 30’ W 40º N 1º 30’ E 40º N 2º E 40º 30’ N 2º E 40º 30’ N 6º E 38º N 6º E	8	43º 15’ N 7º 38’ E 43º 15’ N 9º 45’ E 41º 18’ N 9º 45’ E 41º 20’ N 8º E 41° 18' N 8° E	11	41º 47’ N 6º E 41° 18' N 6° E 41º 18’ N 11º E 38º 30’ N 11º E 38º 30’ N 8º 30’ E 38º N 8º 30’ E 38º N 6º E
3	Coast Line 36º N 5º 36’ W 35º 49’ N 5º 36’ W 36º N 3º 20’ W 35º 45’ N 3º 20’ W 35º 45’ N 2º 40’ W 36º N 2º 40’ W 36º N 1º 13’ W Morocco-Algeria border	6	Coast line 37º 36’ N 1º W 37º N 1º W 37º N 0º 30’ E 39º 30’ N 0º 30’ E 39º 30’ N 1º 30’ W 40º N 1º 30’ E 40º N 2º E 40º 30’ N 2º E 40º 30’ N 6º E 41º 47’ N 6º E 42º 26’ N 3º 09’ E	9	Coast line France-Italy border 43º 15’ N 7º 38’ E 43º 15’ N 9º 45’ E 41º 18’ N 9º 45’ E 41º 18’ N 13º E	12	Coast line Algeria-Tunisia border 38º N 8º 30’ E 38º 30’ N 8º 30’ E 38º 30’ N 11º E 38º N 11º E 37º N 12º E 37º N 11º 04’E

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GSAs	LIMITS	GSAs	LIMITS	GSAs	LIMITS	GSAs	LIMITS
13	Coast line 37º N 11º 04’E 37º N 12º E 35º N 13º 30’ E 35º N 11º E	17	Coast line 41º 55’ N 15º 08’ E Croatia-Montenegro border	21	Coast line Tunisia-Libya border 35º N 15º 18’ E 35º N 23º E 34º N 23º E 34º N 25º 09’ E Libya-Egypt border	25	35º 47’ N 32º E 34º N 32º E 34º N 35º E 35º 47’ N 35º E
14	Coast line 35º N 11º E 35º N 15º 18’ E Tunisia-Libya border	18	Coast lines (both sides) 41º 55’ N 15º 08’ E 40º 04’ N 18º 29’ E Croatia-Montenegro border Albania-Greece border	22	Coast line 36º 30’ N 23º E 36º N 23º E 36º N 26º 30’ E 34º N 26º 30’ E 34º N 29º E 36º 43’ N 29º E	26	Coast line Libya-Egypt border 34º N 25º 09’ E 34º N 34º 13’ E Egypt-Gaza Strip border
15	36º 30’ N 13º 30’ E 35º N 13º 30’E 35º N 15º 18’ E 36º 30’ N 15º 18’ E	19	Coast line (including East Sicily) 40º 04’ N 18º 29’ E 37º N 15º 18’ E 35º N 15º 18’ E 35º N 19º 10’ E 39º 58’ N 19º 10’ E	23	36º N 23º E 36º N 26º 30’ E 34º N 26º 30’ E 34º N 23º E	27	Coast line Egypt-Gaza Strip border 34º N 34º 13’ E 34º N 35º E 35º 47’ N 35º E Turkey-Syria border
16	Coast line 38º N 12º 30’ E 38º N 11º E 37º N 12º E 35º N 13º 30’ E 36º 30’ N 13º 30’ E 36º 30’ N 15º 18’ E 37º N 15º 18’ E	20	Coast line Albania-Greece border 39º 58’ N 19º 10’ E 35º N 19º 10’ E 35º N 23º E 36º 30’ N 23º E	24	Coast line 36º 43’ N 29º E 34º N 29º E 34º N 32º E 35º 47’ N 32º E 35º 47’ N 35º E Turkey-Syria border		

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ANNEX II

Port state inspection procedures for vessels

1. Vessel identification

Port inspectors shall:

(1) verify that the official documentation on board is valid, if necessary, through appropriate contacts with the flag State or international records of vessels;

(2) where necessary, arrange for an official translation of the documentation;

(3) verify that the vessel's name, flag, any external identification number and markings (and International Maritime Organization (IMO) ship identification number when available) and the international radio call sign are correct;

(4) as far as possible, examine whether the vessel has changed name and/or flag and, if so, note the previous name(s) and flag(s);

(5) note the port of registration, name and address of the owner (and operator and beneficial owner if different from the owner), agent, and master of the vessel, including the unique ID for company and registered owner if available; and

(6) note the names and addresses of previous owners, if any, during the past five years.

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2. Authorisations

Port inspectors shall verify that authorisations to fish or transport fish and fishery products are compatible with the information obtained under point 1 and examine the duration of the authorisations and their application to areas, species and fishing gear.

3. Other documentation

Port inspectors shall review all relevant documentation, including documents in electronic format. Relevant documentation may include logbooks, in particular the fishing logbook, as well as the crew list, stowage plans and drawings or descriptions of fish holds if available. Such holds or areas may be inspected in order to verify whether their size and composition correspond to those drawings or descriptions and whether the stowage is in accordance with the stowage plans. Where appropriate, that documentation shall also include catch documents or trade documents issued by any regional fisheries management organisation.

4. Fishing gear

(1) Port inspectors shall verify that the fishing gear on board is in conformity with the conditions of the authorisations. The gear may also be checked to ensure that features such as, inter alia, the mesh sizes (and possible devices), length of nets and hook sizes conform with applicable regulations and that identification marks of the gear correspond to those authorised for the vessel.

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(2) Port inspectors may also search the vessel for any fishing gear stowed out of sight and for fishing gear that is otherwise illegal.

5. Fish and fishery products

(1) Port inspectors shall, to the greatest extent possible, examine whether the fish and fishery products on board were harvested in accordance with the conditions set out in the applicable authorisations. In doing so, port inspectors shall examine the fishing logbook and reports submitted, including those transmitted by a VMS, as appropriate.

(2) In order to determine the quantities and species on board, port inspectors may examine the fish in the hold or during the landing. In doing so, port inspectors may open cartons where the fish has been pre-packed and move the fish or cartons to ascertain the integrity of fish holds.

(3) If the vessel is unloading, port inspectors may verify the species and quantities landed. Such verification may include product type, live weight (quantities determined from the logbook) and the conversion factor used for calculating processed weight to live weight. Port inspectors may also examine any possible quantities retained on board.

(4) Port inspectors may review the quantity and composition of all catch on board, including by sampling.

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6. Verification of IUU fishing

Article 11 of Regulation (EC) No 1005/2008 applies.

7. Report

A written report shall be prepared and signed by the inspector on completion of the inspection and a copy provided to the master of the vessel.

8. Results of port state inspections

Results of port state inspections shall include at least the following information:

(1) Inspection references

– inspecting authority (name of inspecting authority or the alternate body nominated by the authority),

– name of inspector,

– date and time of inspection,

– port of inspection (place where the vessel is inspected), and

– date (date the report is completed).

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(2) Vessel identification

- name of the vessel,
- type of vessel,
- type of gear,
- external identification number (side number of the vessel) and IMO-number (if available) or other number as appropriate,
- International Radio Call Sign,
- MMS I-number (Maritime Mobile Service Identity number), if available,
- Flag State (the State where the vessel is registered),
- previous names and flags, if any,
- home port (the port of registration of the vessel) and previous home ports,
- vessel owner (name, address, contact),
- vessel beneficial owner if different from the vessel owner (name, address, contact),

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– vessel operator responsible for using the vessel if different from the vessel owner (name, address, contact),

– vessel agent (name, address, contact),

– names and addresses of previous owners, if any,

– name, nationality and maritime qualifications of master and fishing master, and

– crew list.

(3) Fishing authorisation (licences/permits)

– the vessels' authorisations to fish or transport fish and fish products,

– states issuing the authorisations,

– terms of the authorisations, including areas and duration,

– relevant regional fisheries management organisation,

– areas, scope and duration of the authorisations,

– details of allocation authorised – quota, fishing effort or other,

– species, by-catch and fishing gear authorised, and

– transhipment records and documents (where applicable).

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(4) Fishing trip information

– date, time, zone and place current fishing trip commenced,

– areas visited (entry and exit from different areas),

– transhipment activities at sea (date, species, place, quantity of fish transhipped),

– last port visited,

– date and time when current fishing trip ended, and

– intended next port of call, as appropriate.

(5) Result of the inspection on the catch

– start and end of discharge (times and date),

– fish species,

– product type,

– live weight (quantities determined from the logbook),

– relevant conversion factor,

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– processed weight (quantities landed by species and presentation),

– equivalent live weight (quantities landed in equivalent live weight, as ‘product weight multiplied with the conversion factor’),

– intended destination of fish and fishery products inspected, and

– quantity and species of fish retained on board, if any.

(6) Results of gear inspection

– details of gear types.

(7) Conclusions

– Conclusions of the inspection including identification of the violations believed to have been committed and reference to the relevant rules and measures. Such evidence shall be attached to the inspection report.

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ANNEX III

(A) GFCM/SAC Fleet Segmentation

Groups	< 6 metres	6-12 metres	12-24 metres	More than 24 metres
1. Polyvalent small-scale vessels without engine	A			
2. Polyvalent small-scale vessels with engine	B	C		
3. Trawlers		D	E	F
4. Purse seiners		G	H	
5. Longliners		I		
6. Pelagic Trawlers		J		
7. Tuna seiners			K	
8. Dredgers		L		
9. Polyvalent vessels			M	

Description of segments

A *Polyvalent small-scale vessels without engine* – All vessels less than 12 metres in length overall (LOA) without an engine (wind or propulsion).

B *Polyvalent small-scale vessels with engine less than 6 m* – All vessels under 6 metres in length overall (LOA) with engine.

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C *Polyvalent small-scale vessels with engine between 6 and 12 m* – All vessels between 6 and 12 metres in length overall (LOA) with engine, that use different gear during the year without clear predominance of one of them or that use a gear not considered in this classification.

D *Trawlers less than 12 m* – All vessels less than 12 metres in length overall (LOA) allocating more than 50 % of their effort operating with a demersal trawl.

E *Trawlers between 12 and 24 m* – All vessels, between 12 and 24 metres in length overall (LOA) allocating more than 50 % of their effort operating with a demersal trawl.

F *Trawlers longer than 24 m* – All vessels over 24 metres in length overall (LOA), allocating more than 50 % of their effort operating with a demersal trawl.

G *Purse Seiners between 6 and 12 m* – All vessels between 6 and 12 m in length overall (LOA), allocating more than 50 % of their effort operating with a purse seine.

H *Purse Seiners longer than 12 m* – All vessels over 12 m in length overall (LOA), allocating more than 50 % of their effort operating with a purse seine, excluding those using a tuna seine during any time of the year.

I *Longliners longer than 6 m* – All vessels over 6 m in length overall (LOA), allocating more than 50 % of their effort operating with a longline.

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J *Pelagic Trawlers longer than 6 m* – All vessels over 6 m in length overall (LOA), allocating more than 50 % of their effort operating with a pelagic trawl.

K *Tuna seiners* – All vessels operating with a Tuna Seine for any length of time during the year.

L *Dredgers longer than 6 m* – All vessels over 6 m in length overall (LOA), allocating more than 50 % of their effort operating with a dredge.

M *Polyvalent vessels longer than 12 m* – All vessels over 12 metres in length overall (LOA), that use different gear during the year without clear predominance of one of them or that use a gear not considered in this classification.

Note: All the cells are open for collecting information. The cells left blank in the above table are considered as unlikely to have a significant population. However, if necessary, it is advisable to merge the information of a ‘blank cell’ with the most appropriate neighbouring ‘grey cell’.

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(B) Table on measurement of nominal fishing effort

Gear	Number and dimension	Capacity	Activity	Nominal Effort[1]
Dredge (for molluscs)	Open mouth, width of mouth	GT	Time fishing	Dredged bottom surface[2]
Trawl (including dredges for flatfishes)	Type of trawl (pelagic, bottom) GT and/or GRT Engine power Mesh size Size of the net (width of mouth) Speed	GT	Time Fishing	GT × days GT × hours kW × days
Purse seine	Length and drop of the net GT Light power Number of small boats	GT Length and drop of the net	Search time Set	GT × Fishing sets Length of the net × fishing sets
Nets	Type of net (e.g. trammel net, gillnets, etc.) Net length (used in regulations) GT Net surface Mesh size	Net length and drop	Time fishing	Net length × days Surface × days
Long lines	Number of hooks GT Number of longline Characteristics of hooks Bait	Number of hooks Number of longline unit	Time fishing	Number of hooks × hours Number of hooks × days Number of longline units × days/hours
Traps	GT	Number of traps	Time fishing	Number of traps × days
Purse seine/FADs	Number of FADs	Number of FADs	Number of trips	Number of FADs × Number of trips

[1] The effort measures that do not include a time activity should be referred to a period of time (i.e. by year).

[2] To be referred to a particular area (indicating the surface) in order to estimate fishing intensity (effort/km^2) and to relate the effort to exploited communities.

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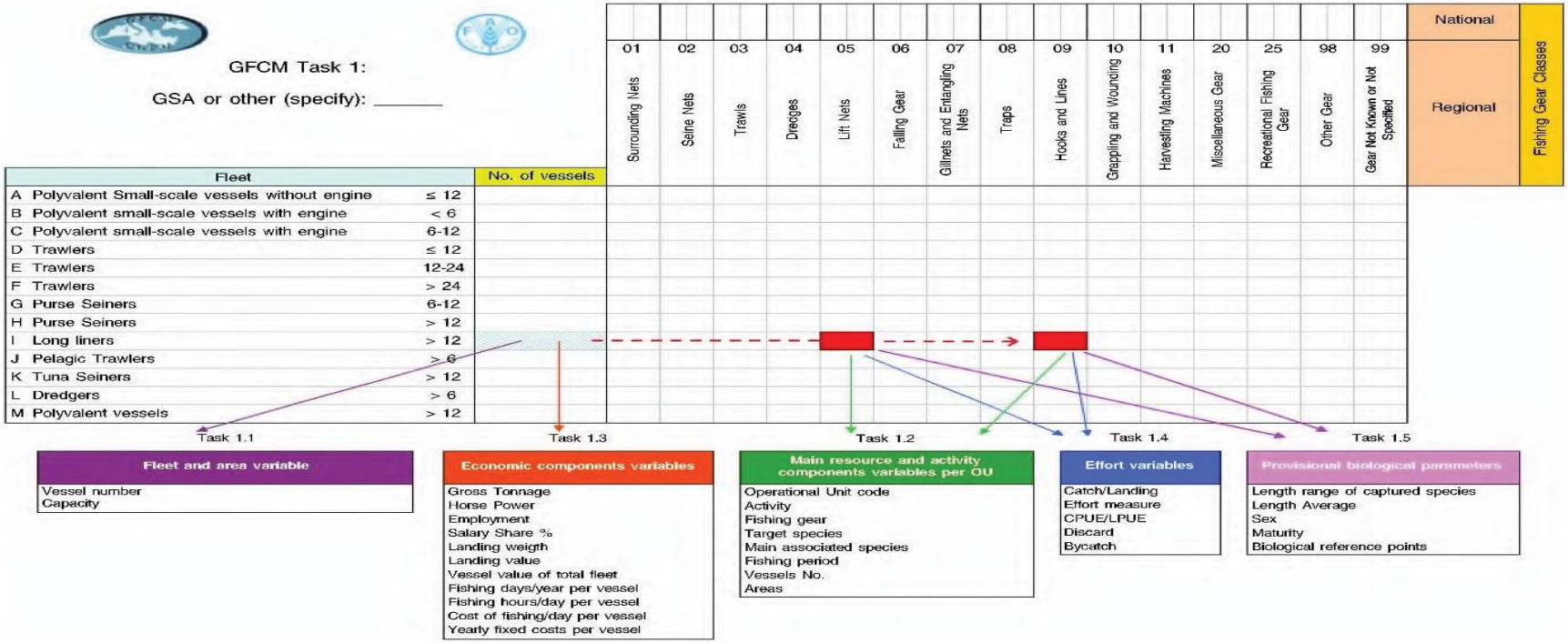
(C) GFCM Task 1 – Operational Units



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ANNEX IV

Model of identity card for GFCM inspectors

<table>
<tr><td colspan="3">General Fisheries Commission for the Mediterranean</td><td>GFCM</td><td>GFCM</td></tr>
<tr><td>GFCM</td><td colspan="2">GFCM</td><td colspan="2" rowspan="4">The holder of this inspector identity card is a GFCM inspector duly appointed under the terms of the General Fisheries Commission for the Mediterranean (GFCM) Joint Inspection and Surveillance Scheme and has the power to act under the provisions of GFCM rules.</td></tr>
<tr><td colspan="3">INSPECTOR IDENTITY CARD</td></tr>
<tr><td rowspan="4">Photograph</td><td colspan="2">Contracting Party</td></tr>
<tr><td colspan="2">Inspector Name:</td></tr>
<tr><td colspan="2">Card n°</td><td rowspan="2">……
Issuing Authority</td><td rowspan="2">……
Inspector</td></tr>
<tr><td>Issue date:</td><td>Valid for five years</td></tr>
</table>

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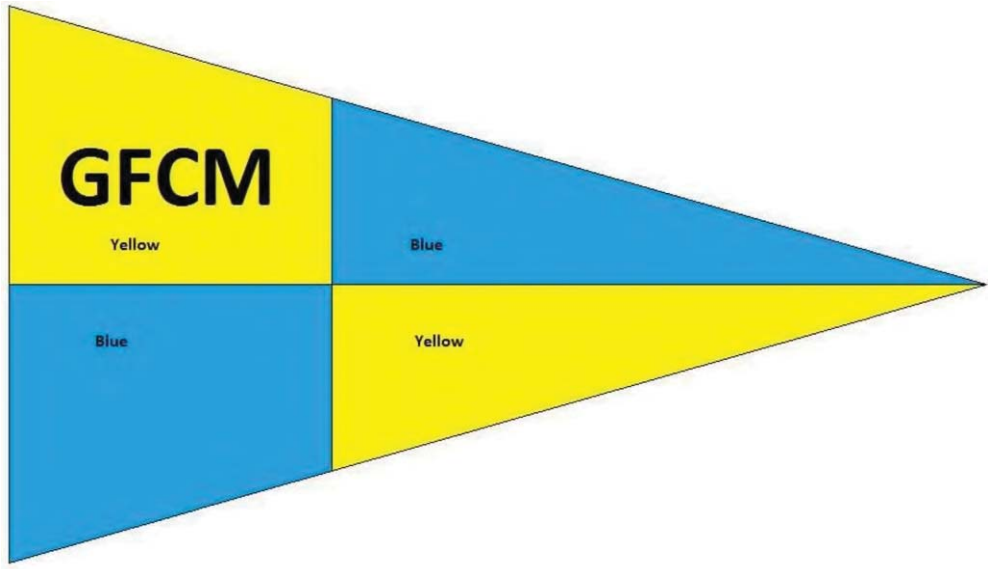
ANNEX V

Model of GFCM inspection pennant



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ANNEX VI

GFCM inspection report

1. INSPECTOR(S)

Name…….…… Contracting Party …….…….
GFCM Identity Card number……

Name…….…… Contracting Party …….…….
GFCM Identity Card number ……

Name …….…… Contracting Party …….…….
GFCM Identity Card number ……

2. VESSEL CARRYING THE INSPECTOR(S)

2.1 Name and Registration ……..……

2.2 Flag ……..……..

3. INFORMATION ON VESSEL INSPECTED

3.1 Name and Registration …….....

3.2 Flag …….....

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3.3 Captain (Name and address) …….

3.4 Ship owner (Name and address) ……

3.5 GFCM Record number …….…….

3.6 Type of vessel ……

4. POSITION

4.1 Position as determined by inspecting vessel's master at ……UTC; Lat ……. Long ……

4.2 Position as determined by fishing vessel's master at ……UTC; Lat …… Long ……

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5. DATE AND TIMES THE INSPECTION COMMENCED AND FINISHED

5.1 Date …… Time arrived on board …… UTC-Time of Departure ……UTC

6. TYPE OF FISHING GEAR ON BOARD

Bottom otter trawl – OTB	
Mid-water otter trawl – OTM	
Shrimp trawls – TBS	
Purse seine – PS	
Gillnets anchored (set) – GNS	
Set longlines – LLS	
Recreational gear – RG	
Other (Specify)	

7. MESH MEASUREMENT – IN MILLIMETRES

7.1 Legal mesh size to be used: ……mm

7.2 Result of the average mesh size measurement: ……mm

7.3 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

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8. INSPECTION OF CATCHES ON BOARD

8.1 Results of the inspection of the fish on board

SPECIES (FAO tri alpha Code)						
Total (Kg)						
Presentation						
Sample inspected						
% of fish undersize						

8.2 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

9. INSPECTION OF DOCUMENTS ON BOARD AND VMS

9.1 Fishing Log Book: YES ☐ - NO ☐

9.2 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

9.3 Fishing Licence: YES ☐ - NO ☐

9.4 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

9.5 Specific authorisation: YES ☐ - NO ☐

9.6 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

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9.7 VMS: YES ☐ - NO ☐ … in function: YES ☐ - NO ☐

9.8 Infringement: YES ☐ - NO ☐ … In case of YES, legal reference:

10. LIST OF VIOLATIONS

☐ Fishing without a licence, permit or authorisation issued by the flag CPC – legal reference:

☐ Failure to maintain sufficient records of catch and catch-related data in accordance with the GFCM's reporting requirements or significant misreporting of such catch and/or catch-related data – legal reference:

☐ Fishing in a closed area – legal reference:

☐ Fishing during a closed season– legal reference:

☐ Use of prohibited fishing gear – legal reference:

☐ Falsification or intentionally concealment of the markings, identity or registration of a fishing vessel – legal reference:

☐ Concealment, tampering with or disposal of evidence relating to investigation of a violation – legal reference:

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- ☐ Multiple violations which taken together constitute a serious disregard of measures in force pursuant to the GFCM;
- ☐ Assault, resistance, intimidation, sexual harassment, interference with, or undue obstruction or delay of an authorised inspector;
- ☐ Interference with the satellite monitoring system and/or operates without VMS system – legal reference:

11. LIST OF DOCUMENTS COPIED ON BOARD

……
……
……
……
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……
……
……

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12. COMMENTS AND SIGNATURE BY THE MASTER OF VESSEL

…….
……
……
……
……
……
……
……

Signature of master: ……

13. COMMENTS AND SIGNATURE BY THE INSPECTOR(S)

……
……
……
……
……
……
……
……
……

Signature of inspector(s): ……

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ANNEX VII

GFCM sighting report

1. Date of the sightings: ……/……/…….. Time: ……UTC

2. Position of the vessel sighted:
   Latitude…… – Longitude…….

3. Course: …….. – Speed ……..

4. Name of the vessel sighted:

5. Flag of the vessel sighted:

6. External number/marking:

7. Type of vessel:

   ☐ Fishing vessel

   ☐ Carrier vessel

   ☐ Freezer vessel

   ☐ Other (specify)

8. International Radio Call Sign:

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9. IMO number (where applicable):

10. Activity(ies):

☐ Fishing

☐ Steaming

☐ Drifting

☐ Transhipping

11. Radio contact: YES ☐ - NO ☐

12. Name and nationality of the captain of the sighted vessel: ……..……..

13. Number of people on board the sighted vessel: ……..

14. Catches on board sighted vessel: ……

15. Information collected by:

Name of inspector:

Contracting Party:

GFCM Identity Card number:

Name of the patrol vessel:

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ANNEX VIII

Data to be included in the list of vessels

The list referred to in Articles 15, 24, 34, 47, 70, 78 and 116 shall contain, for each vessel, the following information:

(1) Vessel name (authorised vessel or authorised vessel used for harvesting)

(2) Vessel register number (code assigned by Member States)

(3) GFCM registration number (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)

(4) Port of registration (full name of the port)

(5) Previous name (if any)

(6) Previous flag (if any)

(7) Previous details of deletion from other registers (if any)

(8) International radio call sign (if any)

(9) VMS (indicate Y/N)

(10) Type of vessel, length overall (LOA) and gross tonnage (GT) and/or gross registered tonnage (GRT) and engine power expressed in kW

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(11) Saftey and security equipment to host observer(s) on board (indicate Y/N) (if applicable)

(12) Main target species

(13) Name and address of owner(s) and operator(s)

(14) Main gear used to fish for blackspot seabream and fleet segment allocation and operational unit as identified in the DCRF

(15) Seasonal period authorised for fishing (if applicable)

(16) Area authorised for fishing (GSAs and/or rectangles of the GFCM statistical grid (if applicable)

(17) Participation in research programmes led by national/international scientific institutions (indicate Y/N with description) (if applicable).

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ANNEX IX

Elaboration of fish aggregating devices (‘FAD’) management measures

FAD management measures for Member State vessels shall include the following:

(1) description of FAD management measures:

(a) type of FAD/beacon/buoy;

(b) maximum number of FADs to be deployed per vessel;

(c) minimum distance between each FAD;

(d) incidental catch reduction and utilisation policy;

(e) potential interactions with other gear types;

(f) statement or policy on FAD ownership;

(2) institutional arrangements:

(a) institutional responsibilities for FAD management measures;

(b) application processes for the approval of FAD deployment;

(c) obligations for vessel owners and masters regarding FAD deployment and use;

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(d) FAD replacement policy;

(e) additional reporting obligations beyond this Regulation;

(f) conflict resolution policy in respect of FADs;

(g) details on any closed area or period (e.g. territorial waters, shipping lanes, proximity of small-scale fisheries, etc.;

(3) FAD construction specifications and requirements:

(a) FAD design characteristics (description);

(b) lighting requirements;

(c) radar reflectors;

(d) visible distance;

(e) FAD marking and identifier;

(f) radio buoy marking and identifier (requirement for serial numbers);

(g) echosounder buoy marking and identifier (requirement for serial numbers);

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(h) research undertaken on biodegradable FADs;

(i) prevention of loss or abandonment of FADs;

(j) management of FAD recovery;

(4) applicable period for the FAD management measures; and

(5) means for monitoring and reviewing the implementation of FAD management measures.

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ANNEX X

Harvest certificate for the GFCM pilot Catch Documentation Scheme

<table>
<tr><td colspan="5">HARVEST CERTIFICATE FOR THE GFCM RED CORAL PILOT CATCH DOCUMENTATION SCHEME (CDS)</td></tr>
<tr><td colspan="2">Harvest document number</td><td colspan="3">Validating authority</td></tr>
<tr><td colspan="2">1. Name of the fishing vessel master, if applicable</td><td colspan="3">Address – tel / fax / email</td></tr>
<tr><td colspan="5">Signature and stamp of the fishing vessel master</td></tr>
<tr><td colspan="2" rowspan="2">2. Vessel name and registration</td><td colspan="2">Flag and home port</td><td>Call sign / IMO (where applicable)</td></tr>
<tr><td colspan="3">Inmarsat / fax / telephone number / email</td></tr>
<tr><td colspan="5">3. Port</td></tr>
<tr><td colspan="2"></td><td colspan="2">Port of departure and country</td><td>Port of landing and country</td></tr>
<tr><td colspan="2">4. Authorised fisher (s) on board</td><td colspan="3">Name – address – tel / fax / email</td></tr>
<tr><td colspan="2">Fishing licence number(s) – valid to (date), if applicable</td><td colspan="2">Red coral fishing authorisation number – valid to (date)</td><td>Signature of the holder</td></tr>
<tr><td>5. Harvest area (coordinates longitude, latitude)</td><td>Harvest date</td><td>Estimated live weight (kg)</td><td colspan="2">Landed live weight (kg)</td></tr>
<tr><td>a.</td><td></td><td></td><td colspan="2"></td></tr>
<tr><td>b.</td><td></td><td></td><td colspan="2"></td></tr>
<tr><td>c.</td><td></td><td></td><td colspan="2"></td></tr>
<tr><td>d.</td><td></td><td></td><td colspan="2"></td></tr>
<tr><td>e.</td><td></td><td></td><td colspan="2"></td></tr>
</table>

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6. Flag state authority validation		
Name and title	Signature	Date and stamp
7. Name of the exporter, if applicable	Address – tel / fax / email	
Signature and stamp of the exporter – date		
8. Export authority validation - Name and title	Signature	Date and stamp
9. Name of the importer	Address – tel / fax / email	
Signature and stamp of the importer – date		
10. Import authority validation - Name and title	Signature	Date and stamp

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ANNEX XI

Fisheries restricted areas and buffer area coordinates

A. Fisheries restricted area in the Gulf of Lions

A fisheries restricted area in the eastern Gulf of Lions, bound by lines joining the following geographic coordinates:

– 42° 40′ N, 4° 20′ E

– 42° 40′ N, 5° 00′ E

– 43° 00′ N, 4° 20′ E

– 43° 00′ N, 5° 00′ E.

B. Fisheries restricted areas in the Strait of Sicily

(1) fisheries restricted area ‘East of Adventure Bank’ bound by lines joining the following coordinates:

– 37° 23,850′ N, 12° 30,072′ E

– 37° 23,884′ N, 12° 48,282′ E

– 37° 11,567′ N, 12° 48,305′ E

– 37° 11,532′ N, 12° 30,095′ E

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(2) fisheries restricted area ‘West of Gela Basin’ bound by lines joining the following coordinates:

– 37° 12,040′ N, 13° 17,925′ E

– 37° 12,047′ N, 13° 36,170′ E

– 36° 59,725′ N, 13° 36,175′ E

– 36° 59,717′ N, 13° 17,930′ E

(3) fisheries restricted area ‘East of Malta Bank’ bound by lines joining the following coordinates:

– 36° 12,621′ N, 15° 13,338′ E

– 36° 12,621′ N, 15° 26,062 ′ E

– 35° 59,344′ N, 15° 26,062′ E

– 35° 59,344′ N, 15° 13,338′ E.

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C. Buffer areas in the Strait of Sicily

(1) buffer area around the fisheries restricted area ‘East of Adventure Bank’ bound by lines joining the following coordinates:

– 37° 24,849′ N, 12° 28,814′ E

– 37° 24,888′ N, 12° 49,536′ E

– 37° 10,567′ N, 12° 49,559′ E

– 37° 10,528′ N, 12° 28,845′ E

(2) buffer area around the fisheries restricted area ‘West of Gela Basin’ bound by lines joining the following coordinates:

– 37° 13,041′ N, 13° 16,672′ E

– 37° 13,049′ N, 13° 37,422′ E

– 36° 58,723′ N, 13° 37,424′ E

– 36° 58,715′ N, 13° 16,682′ E

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(3) buffer area around the fisheries restricted area ‘East of Malta Bank’ bound by lines joining the following coordinates:

– 36° 13,624′ N, 15° 12,102′ E

– 36° 13,624′ N, 15° 27,298′ E

– 35° 58,342′ N, 15° 27,294′ E

– 35° 58,342′ N, 15° 12,106′ E.

D. Fishing restrictions in the Jabuka/Pomo Pit area in the Adriatic Sea

(1) Prohibited area for recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps, bound by lines joining the following coordinates:

– 43° 32,044′ N, 15° 16,501′ E

– 43° 05,452′ N, 14° 58,658′ E

– 43° 03,477′ N, 14° 54,982′ E

– 42° 50,450′ N, 15° 07,431′ E

– 42° 55,618′ N, 15° 18,194′ E

– 43° 17,436′ N, 15° 29,496′ E

– 43° 24,758′ N, 15° 33,215′ E

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(2) Fishing with bottom set nets, bottom trawl nets, set longlines and traps from 1 September to 31 October of each year is prohibited in an area bound by lines joining the following coordinates:

– 43° 03,477′ N, 14° 54,982′ E

– 42° 49,811′ N, 14° 29,550′ E

– 42° 35,205′ N, 14° 59,611′ E

– 42° 49,668′ N, 15° 05,802′ E

– 42° 50,450′ N, 15° 07,431′ E

(3) Recreational fishing and fishing with bottom set nets, bottom trawl nets, set longlines and traps from 1 September to 31 October of each year, is prohibited in an area bound by lines joining the following coordinates:

– 43° 17,436′ N, 15° 29,496′ E

– 43° 24,758′ N, 15° 33,215′ E

– 43° 20,345′ N, 15° 47,012′ E

– 43° 18,150′ N, 15° 51,362′ E

– 43° 13,984′ N, 15° 55,232′ E

– 43° 12,873′ N, 15° 52,761′ E.

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E. Fisheries Restricted Area in deep-sea sensitive habitats

(1) deep-sea fisheries restricted area ‘Lophelia reef off Capo Santa Maria di Leuca’ bound by lines joining the following coordinates:

– 39° 27,72′ N, 18° 10,74′ E

– 39° 27,80′ N, 18° 26,68′ E

– 39° 11,16′ N, 18° 32,58′ E

– 39° 11,16′ N, 18° 04,28′ E;

(2) deep-sea fisheries restricted area ‘The Nile delta area cold hydrocarbon seeps’ bound by lines joining the following coordinates:

– 31° 30,00′ N, 33° 10,00′ E

– 31° 30,00′ N, 34° 00,00′ E

– 32° 00,00′ N, 34° 00,00′ E

– 32° 00,00′ N, 33° 10,00′ E;

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(3) deep-sea fisheries restricted area ‘The Eratosthenes Seamount’ bound by lines joining the following coordinates:

– 33° 00,00′ N, 32° 00,00′ E

– 33° 00,00′ N, 33° 00,00′ E

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ANNEX XII

Fleet capacity in the Strait of Sicily (GSAs 12 to 16)
and the Adriatic Sea (GSAs 17 and 18)

A. Maximum fleet capacity, expressed in number of vessels, kW and GT, of bottom trawl vessels authorised to fish deep-water shrimp stocks in the Strait of Sicily (GSAs 12-13-14-15-16)

Member State	Gear	Number of vessels	kW	GT
Cyprus	OTB	1	105	265
Spain	OTB	2	440,56	218,78
Italy	OTB	320	93 756	26 076
Malta	OTB	15	5 562	2 007

B. Fleet Capacity in the Adriatic Sea

Member State	Gear	Number of vessels	kW	GT
Croatia	PS	249	77 145,52	18 537,72
Italy	PTM-OTM-PS	685	134 556,7	25 852
Slovenia	PS	4	433,7	38,5

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ANNEX XIII

Effort groups as defined for the combination of gear type
and vessel length class ("fleet segment")
accounting for at least 5 % of the landings in 2017

Gear type	Geographical subareas (GSAs)	Stocks concerned	CPC	Length overall (LOA) of vessels[1]	Effort group code	Fishing days[2]	KW × Fishing days
Single boat bottom otter trawls (OTB)	17–18	Red mullet; European hake; deep-water rose shrimp and Norway lobster		< 12 m	OTB12<		
				≥ 12 m and < 24 m	OTB12-24		
				≥ 24 m	OTB>24		
Beam trawls (TBB)	17	Common sole		< 12 m	TBB12<		
				≥ 12 m and < 24 m	TBB12-24		
				≥ 24 m	TBB>24		
Bottom pair trawls (PTB)	17–18	Red mullet; European hake; deep-water rose shrimp and Norway lobster		< 12 m	PTB12<		
				≥ 12 m and < 24 m	PTB 12-24		
				≥ 24 m	PTB>24		
Twin bottom otter trawls (OTT)	17–18	Red mullet, European hake, deep-water rose shrimp and Norway lobster		< 12 m	OTT12<		
				≥ 12 m and < 24 m	OTT12-24		
				≥ 24 m	OTT>24		

[1] Fleet segments and gear will be simplified once effort data is available.
[2] Those data will become available from 2021.

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ANNEX XIV

Repealed Regulation with list of the successive amendments thereto

Regulation (EU) No 1343/2011 of the European Parliament and of the Council (OJ L 347, 30.12.2011, p. 44)	
Regulation (EU) 2015/2102 of the European Parliament and of the Council (OJ L 308, 25.11.2015, p. 1)	
Regulation (EU) 2019/982 of the European Parliament and of the Council (OJ L 164, 20.6.2019, p. 1)	

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ANNEX XV

Correlation table

Regulation (EU) No 1343/2011	This Regulation
Articles 1 and 2	Articles 1 and 2
Article 3 (a)	Article 3, point 1
Article 3 (b) and (c)	–
Article 3 (d)	Article 3, point 5
Article 3 (e)	Article 3, point 2
Article 4	Article 107
Article 5	Article 108
Article 6	Article 109
Article 7	Article 110
Article 8	Article 111
Article 9	Article 112
Article 9a	Article 113
Article 9b	Article 114
Article 9c	Article 115
Article 9d	Article 116
Article 9e	–
Article 10	Article 117
Article 11	Article 118
Article 11a	Article 119
Article 12	Article 82
Article 13	Article 86

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Regulation (EU) No 1343/2011	This Regulation
Article 14(1), (2) and (3)	Article 87(2), (3) and (4)
Article 14a	Article 94
Article 15	–
Article 15a	Article 120
Article 16	–
Article 16a	Article 40(3)
Article 16b(1) to (4)	Article 41(1) to (4)
Article 16b(7)	Article 43(5)
Article 16c(1), (2) and (3)	Article 42(1), (2) and (3)
Article 16c(7)	Article 44(4)
Article 16ca(1) to (4)	Article 44(3) to (6)
Article 16ca(5)	Article 45(2)
Article 16cb	Article 45(1)
Article 16d(1)	Article 40
Article 16d(2)	Article 46(1)
Article 16da	Article 96
Article 16e	Article 101
Article 16f	Article 102
Article 16g	Article 103
Article 16h	Article 104
Article 16i	Article 105(1)
Article 16j(1) and (2)	Article 98(2) and (3)
Article 16k	Article 99(1)
Article 16l(1), (2) and (3)	Article 74(1), (2) and (3)

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Regulation (EU) No 1343/2011	This Regulation
Article 16l(4), (5) and (6)	Article 74(5), (6) and (7)
Article 16m	Article 44(1)
Article 17	Article 122
Article 17b	Article 106(1), (2) and (3)
Article 18	Article 123
Article 19	Article 124
Article 20	Article 125
Article 21	Article 126
Article 22	Article 127
Article 22a(1) and (2)	Article 47(1) and (2)
Article 22a(3)	Article 47(4)
Article 22a(4)	Article 47(5)
Article 22b	Article 50(1) and (2)
Article 22c	Article 49
Article 22d	Article 48
Article 22e	Article 52
Article 22f	Article 53
Article 22g	Article 56(2)
Article 22i	Article 78
Article 22j	Article 80
Article 22k	Article 61(1), (2) and (3)
Article 22l	Article 62(1) and (2)
Article 22m	Article 63
Article 22n	Article 64

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Regulation (EU) No 1343/2011	This Regulation
Article 22o	Article 65
Article 22p	Article 91
Article 22q	Article 92
Article 22r	Article 93
Article 23	Article 131
Article 23a(7)	Article 132
Article 23b	Article 75
Article 25	Article 138
Article 26, (a) and (b)	Article 139, points (1) and (2)
Article 26 (c), (e), (f) and (g)	Article 139, points (1), (4), (5), (6) and (7)
Article 27 (1) to (3)	Article 140(1) to (3)
Article 27 (4) and (5)	Article 140(5) and (6)
Article 29	Article 142
Annexes I to VIII	Annexes I to VIII

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