I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4026/86

of 18 December 1986

amending Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources (1), and in particular Article 11 thereof,

Having regard to the proposal form the Commission,

Whereas Article 2 of Regulation (EEC) No 170/83 states that the conservation measures necessary to achieve the aims set out in Article 1 of the Regulation must be formulated in the light of the available scientific advice;

Whereas Regulation (EEC) No 3094/86 (2) lays down general rules for the fishing and landing of biological resources found in Community waters;

Whereas examination of new information concerning the estimates of losses of catches of soles when using, in certain areas, beam trawls the length of whose beams is limited to eight metres and the probable effects on fishing of establishing at 55°30′ N the dividing line in sub-area VI of the International Council for the Exploration of the Sea, north of which a minimum mesh size of 90 millimetres shall apply with effect from 1 January 1989, as provided for in Regulation (EEC) No 3094/86, shows that such measures could seriously jeopardize the economic viability of the fisheries concerned; whereas for this reason it is appropriate to modify these measures while providing for the conservation of the fish stocks concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3094/86 is hereby amended as follows:

1. Article 9 (3) (c) is replaced by the following:

'(c) However, it shall be prohibited to use beam trawls of which the aggregate beam length, measured as the sum of the length of each beam between the inner edges of the attached shoes or skids, is greater than eight metres except when fishing with gear designed and used for catching shrimps (*Crangon* species) or prawns (*Pandalus montagui*).

By way of derogation from the preceding subparagraph, it shall be permitted in the period ending 31 December 1987 to use beam trawls of which the aggregate beam length does not exceed 12 metres.

Notwithstanding the two preceding subparagraphs, vessels whose primary activity is fishing for shrimps (*Crangon* species) shall be permitted to use beams whose aggregate length, as defined in the first subparagraph, exceeds eight or 12 metres as the case may be when fishing for sole, provided that they appear on a list to be drawn up annually.'

2. Annex I is amended as set out in the Annex hereto.

Article 2

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

It shall apply with effect from 1 January 1987.

(1) OJ No L 24, 27. 1. 1983, p. 1.
(2) OJ No L 288, 11. 10. 1986, p. 1.

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

Done at Brussels, 18 December 1986.

For the Council

The President

M. JOPLING

ANNEX

Region	Geographical area	Additional conditions	Minimum mesh size (mm)	Authorized target species	Minimum percentage of target species	Maximum percentage of protected species
2	West of Scotland and Rockall (ICES sub-area VI) (1)	Until 31. 12. 1988	80	All		100
	West of Scotland and Rockall (ICES sub-area VI) (2)		80	All		100

(1) North of latitude 56°00′ N.
(2) South of latitude 56°00′ N.