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COMMISSION REGULATION (EC) No 2092/98

of 30 September 1998

concerning the declaration of fishing effort relating to certain Community fishing areas and resources

(OJ L 266, 1.10.1998, p. 47)

Corrected by:

►**C1** Corrigendum, OJ L 118, 6.5.1999, p. 66 (2092/98)

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COMMISSION REGULATION (EC) No 2092/98

of 30 September 1998

concerning the declaration of fishing effort relating to certain Community fishing areas and resources

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992, establishing a Community system of fisheries and aquaculture ([1]), as amended by Regulation (EC) No 1181/98 ([2]), and in particular Article 13 thereof,

Whereas Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ([3]), as last amended by Regulation (EC) No 2635/97 ([4]), and in particular Article 19(f)(3) thereof, which provides that the Commission shall ensure that the Member States responsible for control have available the data concerning the identification of vessels having access to their waters;

Whereas the implementation of arrangements for the management of fishing effort in accordance with Council Regulation (EC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources ([5]), and of Council Regulation (EC) No 779/97 of 24 April 1997 introducing arrangements for the management of fishing effort in the Baltic Sea ([6]), highlights the need to adopt provisions to ensure that the data relating to lists of named fishing vessels are communicated without delay;

Whereas Commission Regulation (EC) No 2090/98 ([7]) establishes the basis for the transmission of data to the fishing vessel register of the Community;

Whereas the communication of data on the fishing effort by fishery should refer to the data contained in the fishing vessel register of the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall transmit to the Commission the data referred to in Article 19(f)(1) of Regulation (EEC) No 2847/93 as well as the list of vessels authorised to fish in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 in accordance with the procedures laid down in Annex III hereto. Amendments to the lists of vessels shall be reported to the Commission in accordance with the same procedures at the latest four working days before the entry of vessels into the fishing area. The Commission shall acknowledge receipt of amendments to lists by digital transfer over a telecommunications network not later than two days before the entry of vessels into the fishing area.

([1]) OJ L 389, 31. 12. 1992, p. 1.
([2]) OJ L 164, 9. 6. 1998, p. 1.
([3]) OJ L 261, 20. 10. 1993, p. 1.
([4]) OJ L 356, 31. 12. 1997, p. 14.
([5]) OJ L 71, 31. 3. 1995, p. 5.
([6]) OJ L 113, 30. 4. 1997, p. 1.
([7]) See page 27 of this Official Journal.

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Article 2

Member States shall transmit to the Commission the aggregated data on fishing effort referred to in Article 19I of Regulation (EEC) No 2847/93 in accordance with Annex I to this Regulation:

— for each area referred to in Article 19(a)(1) of Regulation (EEC) No 2847/93, before the 15th of each month for the previous month in the case of demersal species,

— for each area referred to in Article 19(a)(1)(a) of Regulation (EEC) No 2847/93, in the case of demersal species, salmon, sea trout and freshwater fish, before 15 April, 15 July, 15 October and 15 January for the previous quarter, and before 15 February of each calendar year for each month of the previous year,

— for each area referred to in Article 19(a) of Regulation (EEC) No 2847/93 for the previous quarter before the end of the first month of each calendar quarter in the case of pelagic species.

Article 3

Corrections to erroneous information contained in the register shall be forwarded to the Commission within 30 days of the date on which the error is detected.

Article 4

Member States shall have access without delay to data concerning the identification of vessels engaged in fishing activity in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 under their jurisdiction or sovereignty in accordance with the procedures laid down in Annex IV hereto.

Article 5

Member States shall communicate the information referred to in this Regulation to the Commission by digital transfer over a telecommunications network in accordance with the detailed rules and codes set out in Annexes I to IV. The Commission shall acknowledge receipt of messages as soon as they have been validated in the data base.

Article 6

The vessels concerned by this Regulation shall be identified by the internal number recorded in the Community register of fishing vessels, as referred to in Annex I of Regulation (EC) No 2090/98.

Article 7

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

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

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ANNEX I

FISHING EFFORT

DEFINITION OF DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

Aggregated declarations by fishery

Name of the zone	Width	Alignment	Definition and remarks
Updating indicator	3	—	Code identifying type of declaration (see Table 1)
Declaring entity	3	—	Member State (Alpha-3 ISO code) making the declaration
Fishery	5	L	Code of fishery (see Annex II) in which activity has taken place
Year of observation	4	—	Year (YYYY) during which the vessel is observed
First month	2	—	First month (MM) of observation period
Last month	2	—	Last month (MM) of observation period
Effort/power	14	R	Number of kW (as a whole number) multiplied by the number of days present in the area (as a whole number) to express fishing effort during the observation period (1)
Filler	14	—	

(1) Calculated as $\Sigma(i=1,n)\ a_i P_i$ where n is the number of vessels in the area, a_i is the number of days spent at sea by the vessel in the area during the observation period and P_i is the average power of the vessel in the area during the period of observation.

Table 1 — Codes for the updating indicator

Declaration by fishery	FIS
Deletion of declaration by fishery	DFI

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ANNEX II

Table 1 — Codes for fisheries in western waters — Regulation (EC) No 685/95

Gear	Target species	Effort areas				Code
Towed gear	Demersal species	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				TGD0 ([5])
		of which	Vb ([1]), VI			TGD1
			of which	Irish Box ([5])		TGD19
			VII			TGD2
			of which	VIIa		TGD21
				VIIf ([2])		TGD22
				Irish Box ([5])		TGD29
			VIIIa, VIIIb, VIIId			TGD3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			TGD4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TGD40
				except	VIIIc, VIIIe, IX ([3])	TGD41
					IX ([4])	TGD42
					X ([4])	TGD43
					CECAF 34.1.1 ([3])	TGD44
					CECAF 34.1.2 ([3])	TGD45
					CECAF 34.2.0 ([3])	TGD46
					CECAF 34.1.1 ([4])	TGD47
					CECAF 34.1.2 ([4])	TGD48
					CECAF 34.2.0 ([4])	TGD49

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Gear	Target species	Effort areas				Code
Static gear	Demersal species	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				SGD0 ([6])
		of which	Vb ([1]), VI			SGD1
			of which	Irish Box ([5])		SGD19
			VII			SGD2
			of which	VIIa		SGD21
				VIIf ([2])		SGD22
				Irish Box ([5])		SGD29
			VIIIa, VIIIb, VIIId			SGD3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			SGD4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		SGD40
				except	VIIIc, VIIIe, IX ([3])	SGD41
					IX ([4])	SGD42
					X ([4])	SGD43
					CECAF 34.1.1 ([3])	SGD44
					CECAF 34.1.2 ([3])	SGD45
					CECAF 34.2.0 ([3])	SGD46
					CECAF 34.1.1 ([4])	SGD47
					CECAF 34.1.2 ([4])	SGD48
					CECAF 34.2.0 ([4])	SGD49

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Gear	Target species	Effort areas				Code
Towed and static gear	►C1 Deep- water species ◄	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				TSB0 ([6])
		of which	Vb ([1]), VI			TSB1
			of which	Irish Box ([5])		TSB19
			VII			TSB2
			of which	VIIa		TSB21
				VIIf ([2])		TSB22
				Irish Box ([5])		TSB29
			VIIIa, VIIIb, VIIId			TSB3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			TSB4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TSB40
				except	VIIIc, VIIIe, IX ([3])	TSB41
					IX ([4])	TSB42
					X ([4])	TSB43
					CECAF 34.1.1 ([3])	TSB44
					CECAF 34.1.2 ([3])	TSB45
					CECAF 34.2.0 ([3])	TSB46
					CECAF 34.1.1 ([4])	TSB47
					CECAF 34.1.2 ([4])	TSB48
					CECAF 34.2.0 ([4])	TSB49

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Gear	Target species	Effort areas				Code
Towed gear	Scallops	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				TGJ0 ([6])
		of which	Vb ([1]), VI			TGJ1
			of which	Irish Box ([5])		TGJ19
			VII			TGJ2
			of which	VIIa		TGJ21
				VIIf ([2])		TGJ22
				Irish Box ([5])		TGJ29
			VIIIa, VIIIb, VIIId			TGJ3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			TGJ4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TGJ40
				except	VIIIc, VIIIe, IX ([3])	TGJ41
					IX ([4])	TGJ42
					X ([4])	TGJ43
					CECAF 34.1.1 ([3])	TGJ44
					CECAF 34.1.2 ([3])	TGJ45
					CECAF 34.2.0 ([3])	TGJ46
					CECAF 34.1.1 ([4])	TGJ47
					CECAF 34.1.2 ([4])	TGJ48
					CECAF 34.2.0 ([4])	TGJ49

▼B

Gear	Target species	Effort areas				Code
Static gears	Edible crabs and spider crabs	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				SGC0 ([6])
		of which	Vb ([1]), VI			SGC1
			of which	Irish Box ([5])		SGC19
			VII			SGC2
			of which	VIIa		SGC21
				VIIf ([2])		SGC22
				Irish Box ([5])		SGC29
			VIIIa, VIIIb, VIIId			SGC3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			SGC4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		SGC40
				except	VIIIc, VIIIe, IX ([3])	SGC41
					IX ([4])	SGC42
					X ([4])	SGC43
					CECAF 34.1.1 ([3])	SGC44
					CECAF 34.1.2 ([3])	SGC45
					CECAF 34.2.0 ([3])	SGC46
					CECAF 34.1.1 ([4])	SGC47
					CECAF 34.1.2 ([4])	SGC48
					CECAF 34.2.0 ([4])	SGC49

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Gear	Target species	Effort areas				Code
Purse seines, pelagic trawls and small-mesh gill-nets	Pelagic species except: bream, shark, tuna and highly migratory species	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				PSP0 ([6])
		of which	Vb ([1]), VI			PSP1
			of which	Irish Box ([5])		PSP19
			VII			PSP2
			of which	VIIa		PSP21
				VIIf ([2])		PSP22
				Irish Box ([5])		PSP29
			VIIIa, VIIIb, VIIId			PSP3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			PSP4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		PSP40
				except	VIIIc, VIIIe, IX ([3])	PSP41
					IX ([4])	PSP42
					X ([4])	PSP43
					CECAF 34.1.1 ([3])	PSP44
					CECAF 34.1.2 ([3])	PSP45
					CECAF 34.2.0 ([3])	PSP46
					CECAF 34.1.1 ([4])	PSP47
					CECAF 34.1.2 ([4])	PSP48
					CECAF 34.2.0 ([4])	PSP49

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Gear	Target species	Effort areas				Code
Surface longliners	Bream, shark, tuna and highly migratory species	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				LLM0 ([6])
		of which	Vb ([1]), VI			LLM1
			of which	Irish Box ([5])		LLM19
			VII			LLM2
			of which	VIIa		LLM21
				VIIf ([2])		LLM22
				Irish Box ([5])		LLM29
			VIIIa, VIIIb, VIIId			LLM3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			LLM4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		LLM40
				except	VIIIc, VIIIe, IX ([3])	LLM41
					IX ([4])	LLM42
					X ([4])	LLM43
					CECAF 34.1.1 ([3])	LLM44
					CECAF 34.1.2 ([3])	LLM45
					CECAF 34.2.0 ([3])	LLM46
					CECAF 34.1.1 ([4])	LLM47
					CECAF 34.1.2 ([4])	LLM48
					CECAF 34.2.0 ([4])	LLM49

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Gear	Target species	Effort areas				Code
Gear for tuna fishing	Tuna	Vb ([1]), VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0				MIT0 ([6])
		of which	Vb ([1]), VI			MIT1
			of which	Irish Box ([5])		MIT19
			VII			MIT2
			of which	VIIa		MIT21
				VIIf ([2])		MIT22
				Irish Box ([5])		MIT29
			VIIIa, VIIIb, VIIId			MIT3
			VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0			MIT4 ([6])
			of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		MIT40
				except	VIIIc, VIIIe, IX ([3])	MIT41
					IX ([4])	MIT42
					X ([4])	MIT43
					CECAF 34.1.1 ([3])	MIT44
					CECAF 34.1.2 ([3])	MIT45
					CECAF 34.2.0 ([3])	MIT46
					CECAF 34.1.1 ([4])	MIT47
					CECAF 34.1.2 ([4])	MIT48
					CECAF 34.2.0 ([4])	MIT49

([1]) Except in waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.
([2]) North of 50° 30′ N.
([3]) Only in waters under the sovereignty and/or jurisdiction of Spain.
([4]) Only in waters under the sovereignty and/or jurisdiction of Portugal.
([5]) Part of the zone included in the zone defined in Article 3(5) of Regulation (EC) No 685/95.
([6]) These areas are reserved for the compilation of data and may not be used for the declarations of fishing effort.

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Table 2 — Codes for fisheries in the Baltic sea — Regulation (EC) No 779/97

Gear	Target species	Effort areas		Code
Towed gear	Demersal species	Subdivisions 22-32		TGD5
Static gear and driftnets	Demersal species	Subdivisions 22-32		DGD5
All gears	Pelagic species (herring, sprat)	Subdivisions 22-32		AGH5
		of which	Management units 3 (1)	AGH51
All gears	Salmon, sea trout and freshwater fish	Subdivisions 22-32		AGS5

(1) Comprising subdivisions 29, 30 and 31 north of latitude 59° 30′ N.

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ANNEX III

LIST OF VESSELS BY FISHERY

DEFINITION OF THE DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

Name of the zone	Width	Alignment	Definition and remarks
Updating indicator	3	—	Code identifying type of declaration (see Table 1)
Declaring entity	3	—	Member State (Alpha-3 ISO code) making the declaration
Fishery	5	L	Code of fishery (see Annex II) made up of three components: — type of gear (see Table 2) — two characters — type of target species (see Table 3) — one character — code of ICES area (see Table 3, Annex IV) — two characters
Internal number	12	L	Internal number of vessels (see Annex I of Regulation (EG) No 2090/98)
Name of vessel	40	L	
Date of event	8	—	Date (YYYYMMDD) when event occurred

Table 1 — Codes for updating indicator

Addition of vessel to list	ADD
Deletion of vessel from list	SUP
Cancellation of incorrect declaration	CAN

Table 2 — Codes for groups of fishing gear by fishery

Type of gear	Code	Area (1)
Towed gear	TG	W + B
Static gear	SG	W
Towed and static gear	TS	W
Purse seines, pelagic trawls and small-mesh nets	PS	W
Surface longlines	LL	W
Miscellaneous gear	MI	W
Static gear and driftnets	DG	B
All gears	AG	B

(1) B for the Baltic sea and W for western waters

Table 3 — Codes for target species or groups of target species

Species	Code	Area (1)
Demersal species	D	W + B
Pelagic species	P	W + B
Benthic species	B	W
Bream, shark, tuna and highly migratory species	M	W
Scallops	J	W
Edible crabs and spider crabs	C	W
Tuna	T	W

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Species	Code	Area (1)
Pelagic species (herring and sprat)	H	B
Salmon, sea trout and fresh water fish	S	B

(1) B for the Baltic sea and W for western waters

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ANNEX IV

RULES ON ACCESS TO DATA FOR COASTAL STATES

Table 1 — Identification features of the vessel observed or the vessels of a given fishery (when querying the register)

Identification feature	Width	Definition and remarks
Fishing zone	2	Number of fishing zone (ICES area) as given by the last two characters of the code identifying the fishery (see Annex II) in which the vessel observed is located
External marking	14	In accordance with Regulation (EEC) No 1381/87.
Name of vessel	40	
International radio call sign	7	i.e. the IRCS.
Flag	3	Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).

Table 2 — Data accessible to coastal states from the features in Table 1 (reply from the register)

Identification feature	Width	Definition and remarks
Fishery	5	Code identifying the fishery (see Annex II) in which the vessel observed is located
External marking	14	In accordance with Regulation (EEC) No 1381/87
Name of vessel	40	
International radio call sign	7	i.e. the IRCS.
Flag	3	Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).
Internal number	12	Member State (Alpha-3 ISO code) followed by unique identification number (one to nine characters).
Registration number	14	
Vessel > 15 m between pp and > 18 m overall	1	'Y'= yes; 'N'= no
Declaring entity	3	Member State (Alpha-3 ISO code) making the declaration on the vessel in the fishery concerned.

Table 3 — Rules for access to data on fisheries of the states responsible for controls in western waters [1] Regulation (EC) No 685/95

Effort area	Area No [2]	Country				
Vb [3], VI	1	IRL	GBR	—	—	—
Irish box (VI) [4]	19	IRL	GBR	—	—	—
VII	2	IRL	GBR	FRA	—	—
VII a	21	IRL	GBR	—	—	—
VII f [5]	22	—	GBR	—	—	—
Irish box (VII) [4]	29	IRL	GBR	—	—	—
VIII a, VIII b, VIII d	3	—	GBR	FRA	—	—
IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 (excluding other waters)	40	—	—	—	ESP	PRT

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Effort area	Area No (2)	Country				
VIII c, VIII e, IX (6)	41	—	—	—	ESP	—
IX (4)	42	—	—	—	—	PRT
X (4)	43	—	—	—	—	PRT
CECAF 34.1.1 (6)	44	—	—	—	ESP	—
CECAF 34.1.2 (6)	45	—	—	—	ESP	—
CECAF 34.2.0 (6)	46	—	—	—	ESP	—
CECAF 34.1.1 (7)	47	—	—	—	—	PRT
CECAF 34.1.2 (7)	48	—	—	—	—	PRT
CECAF 34.2.0 (7)	49	—	—	—	—	PRT

(1) The declaring state has access to data on its own vessels on all fishery lists.
(2) Number of fishing zone as given in the fishery code (see Table 1, Annex II).
(3) With the exception of waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.
(4) Part of the area included in the area defined in Article 3, par. 5 of Regulation (EC) No 685/95.
(5) North of latitude 50° 30′ north
(6) Only in waters under the sovereignty and/or jurisdiction of Spain.
(7) Only in waters under the sovereignty and/or jurisdiction of Portugal.

Table 4 — Rules for access to data on fisheries of the states responsible for controls in Baltic sea (1) Regulation (EC) No 779/97

Effort area	Area No (2)	Country
Subdivisions 22-32	5	DNK - DEU - FIN - SWE
Managements units 3	51	FIN - SWE

(1) The declaring state has access to data on its own vessels on all fishery lists.
(2) Number of fishing zone as given in the fishery code (see Table 2, Annex II).