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COUNCIL REGULATION (EC) No 2015/2006

of 19 December 2006

fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks

(OJ L 384, 29.12.2006, p. 28)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 609/2007 of 1 June 2007	L 141	33	2.6.2007
►**M2**	Council Regulation (EC) No 754/2007 of 28 June 2007	L 172	26	30.6.2007
►**M3**	Council Regulation (EC) No 1533/2007 of 17 December 2007	L 337	21	21.12.2007

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COUNCIL REGULATION (EC) No 2015/2006

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fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ([1]), and in particular Article 20 thereof,

Having regard to the proposal of the Commission,

Whereas:

(1) Under Article 4 of Regulation (EC) No 2371/2002 the Council is to adopt the measures necessary to ensure access to waters and resources and the sustainable pursuit of fishing activities taking into account, *inter alia*, available scientific advice.

(2) Under Article 20 of Regulation (EC) No 2371/2002, it is incumbent upon the Council to establish fishing opportunities by fishery or group of fisheries and to allocate them in accordance with prescribed criteria.

(3) The latest scientific advice from the International Council for the Exploration of the Sea (ICES) concerning certain stocks of fish found in the deep sea indicates that those stocks are harvested unsustainably, and that fishing opportunities for those stocks should be reduced in order to assure their sustainability.

(4) The ICES has further advised that the exploitation rate of orange roughy in ICES Area VII is much too high. Scientific advice further indicates that orange roughy in Area VI is heavily depleted, and areas of vulnerable aggregations of these species have been identified. It is therefore appropriate to prohibit fishing for orange roughy in those areas.

(5) In order to ensure effective management of quotas, the specific conditions under which fishing operations occur should be established.

(6) In accordance with Article 2 of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year to year management of TACs and quotas ([2]), it is necessary to indicate which stocks are subject to the various measures fixed therein.

(7) The measures provided for in this Regulation should be fixed by reference to ICES zones as defined in Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the Northeast Atlantic ([3]) and to CECAF zones (Committee for Eastern Central Atlantic Fisheries) as defined in Council Regulation

([1]) OJ L 358, 31.12.2002, p. 59.
([2]) OJ L 115, 9.5.1996, p. 3.
([3]) OJ L 365, 31.12.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 448/2005 (OJ L 74, 19.3.2005, p. 5).

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(EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic ([1]).

(8) The fishing opportunities should be utilised in accordance with the Community legislation on the matter, and in particular with Council Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish ([2]), Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing vessels ([3]), Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ([4]), Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits ([5]), Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ([6]) Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable for fishing for deep-sea stocks ([7]), and Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 ([8]),

HAS ADOPTED THIS REGULATION:

Article 1

Subject-matter

This Regulation fixes for 2007 and for 2008, for stocks of deep-sea species and for Community fishing vessels, annual fishing opportunities in zones in Community waters and in certain non-Community waters where catch limitations are required, and the specific conditions under which fishing opportunities may be utilised.

Article 2

Definitions

1. For the purposes of this Regulation, ‘deep-sea fishing permit’ means the fishing permit referred to in Article 3 of Regulation (EC) No 2347/2002.

2. The definitions of ICES and CECAF zones are those given, respectively, in Regulation (EEC) No 3880/91 and Regulation (EC) No 2597/95.

([1]) OJ L 270, 13.11.1995, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).
([2]) OJ L 276, 10.10.1983, p. 1. Regulation as last amended by Commission Regulation (EC) No 1804/2005 (OJ L 290, 4.11.2005, p. 10).
([3]) OJ L 132, 21.5.1987, p. 9.
([4]) OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).
([5]) OJ L 171, 6.7.1994, p. 7.
([6]) OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 2166/2005 (OJ L 345, 28.12.2005, p. 5).
([7]) OJ L 351, 28.12.2002, p. 6. Regulation as amended by Regulation (EC) No 2269/2004 (OJ L 396, 31.12.2004, p. 1).
([8]) OJ L 349, 31.12.2005, p. 1.

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Article 3

Fixing of fishing opportunities

Fishing opportunities for stocks of deep-sea species for Community vessels are fixed as set out in the Annex.

Article 4

Allocation among Member States

The allocation of fishing opportunities among Member States provided for in the Annex shall be without prejudice to:

(a) exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002;

(b) reallocations made pursuant to Articles 21(4) and 32(2) of Regulation (EEC) No 2847/93 and Article 23(4) of Regulation (EC) No 2371/2002;

(c) additional landings allowed pursuant to Article 3 of Regulation (EC) No 847/96;

(d) quantities withheld pursuant to Article 4 of Regulation (EC) No 847/96;

(e) deductions made pursuant to Article 5 of Regulation (EC) No 847/96 and Article 23(4) of Regulation (EC) No 2371/2002.

Article 5

Quota flexibility

For the purposes of Regulation (EC) No 847/96, all quotas in the Annex to the present Regulation shall be considered 'Analytic' quotas.

However, the measures provided for in Article 5(2) of Regulation (EC) No 847/96 shall not apply to those quotas.

Article 6

Conditions for landing catch and by-catch

Fish from stocks for which fishing opportunities are fixed by this Regulation may be retained on board or landed only if they were taken by vessels of a Member State which has a quota which is not exhausted. All landings shall count against the quota.

The first subparagraph shall not apply to catches taken in the course of scientific investigations carried out under Regulation (EC) No 850/98, which shall not count against the quota.

Article 7

Orange Roughy

1. The Orange Roughy Protection Areas are defined as the following sea areas:

(a) that sea area enclosed by rhumb lines sequentially joining the following positions:

57° 00′ N, 11° 00′ W

57° 00′ N, 8° 30′ W

56° 23′ N, 8° 30′ W

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55° 00′ N, 9° 38′ W

55° 00′ N, 11° 00′ W

57° 00′ N, 11° 00′ W;

(b) that sea area enclosed by rhumb lines sequentially joining the following positions:

55° 30′ N, 15° 49′ W

53° 30′ N, 14° 11′ W

50° 30′ N, 14° 11′ W

50° 30′ N, 15° 49′ W;

(c) that sea area enclosed by rhumb lines sequentially joining the following positions:

55° 00′ N, 13° 51′ W

55° 00′ N, 10° 37′ W

54° 15′ N, 10° 37′ W

53° 30′ N, 11° 50′ W

53° 30′ N, 13° 51′ W.

Those positions and the corresponding rhumb lines and vessel positions shall be measured according to the WGS84 standard.

2. Member States shall ensure that vessels holding a deep-sea fishing permit shall be properly monitored by the Fisheries Monitoring Centres (FMC), which shall have a system to detect and record the vessels' entry into, transit through and exit from the areas defined in paragraph 1.

3. Vessels holding a deep-sea fishing permit that have entered the areas defined in paragraph 1 shall not retain on board or tranship any quantity of orange roughy, nor land any quantity of orange roughy at the end of that fishing trip unless:

(a) all gears carried on board are lashed and stowed during the transit in accordance with the conditions laid down in Article 20(1) of Regulation (EEC) No 2847/93;

(b) the average speed during transit is not less than 8 knots.

Article 8

Entry into force

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

It shall apply as from 1 January 2007.

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

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ANNEX

PART 1

Definition of Species and Species Groups

Within each area fish stocks are referred to following the alphabetical order of the Latin names of the species. However, deep sea sharks are placed at the beginning of that list. A table of correspondences of common names and Latin names is given below for the purposes of this Regulation:

Common name	Scientific name
Black scabbardfish	*Aphanopus carbo*
Alfonsinos	*Beryx* spp.
Tusk	*Brosme brosme*
Roundnose grenadier	*Coryphaenoides rupestris*
Orange roughy	*Hoplostethus atlanticus*
Blue ling	*Molva dypterigia*
Forkbeards	*Phycis blennoides*
Red seabream	*Pagellus bogaraveo*

Where reference is made to 'deep sea sharks', this shall refer to sharks in the following list of species: Portuguese dogfish (*Centroscymnus coelolepis*), Leafscale gulper shark (*Centrophorus squamosus*), Birdbeak dogfish (*Deania calceus*), Kitefin shark (*Dalatias licha*), Greater lanternshark (*Etmopterus princeps*), Velvet belly (*Etmopterus spinax*), Black dogfish (*Centroscyllium fabricii*), Gulper shark (*Centrophorus granulosus*), Blackmouth dogfish (*Galeus melastomus*), Mouse catshark (*Galeus murinus*), Iceland catshark (*Apristuris* spp.).

PART 2

Annual fishing opportunities applicable for Community vessels in areas where catch limitations exist by species and by area (in tonnes live weight)

All references are to ICES sub-areas unless otherwise stated.

Species:	Deep Sea Sharks		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII and IX
Year	2007 ([1])	2008 ([1])		
Germany	59	39		
Spain	280	187		
Estonia	4	2		
France	1 014	676		
Ireland	►M1 209 ◄	109		
Lithuania	4	2		
Poland	4	2		
Portugal	381	254		
United Kingdom	562	375		
EC	2 517	1 646		

([1]) By-catches only. No directed fisheries for deep sea sharks are permitted.

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Species:	Deep Sea Sharks		Zone:	X (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008		
Portugal	20	20		
EC	20	20		

Species:	Deep Sea Sharks and *Deania histricosa* and *Deania profondorum*		Zone:	XII (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008		
Spain	69	34		
France	22	11		
Ireland	►M1 5 ◄	2		
United Kingdom	4	2		
EC	100	49		

Species:	Black scabbardfish *Aphanopus carbo*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III and IV
Year	2007	2008		
Germany	5	5		
France	5	5		
United Kingdom	5	5		
EC	15	15		

Species:	Black scabbardfish *Aphanopus carbo*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII and XII
Year	2007	2008		
Germany	35	35		
Spain	173	173		
Estonia	17	17		
France	2 433	2 433		
Ireland	►M1 96 ◄	87		
Latvia	113	113		
Lithuania	1	1		
Poland	1	1		
United Kingdom	173	173		
Others ([1])	9	9		
EC	3 051	3 042		

([1]) Exclusively for by-catches. No directed fisheries are permitted under this quota.

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Species:	Black scabbardfish *Aphanopus carbo*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX and X
Year	2007	2008		
Spain	13	13		
France	31	31		
Portugal	3 956	3 956		
EC	4 000	4 000		

Species:	Black scabbardfish *Aphanopus carbo*		Zone:	CECAF 34.1.2. (Community waters and waters not under the sovereignty or jurisdiction of third countries.)
Year	2007	2008		
Portugal	4 285	4 285		
EC	4 285	4 285		

▼M2

Species:	Alfonsinos *Beryx* spp.		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII and XIV
Year	2007	2008		
Spain	74	74		
France	20	20		
Ireland	10	10		
Portugal	214	214		
United Kingdom	10	10		
EC	328	328		

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Species:	Roundnose grenadier *Coryphaenoides rupestris*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of I, II, IV and Va
Year	2007	2008		
Denmark	2	2		
Germany	2	2		
France	14	14		
United Kingdom	2	2		
EC	20	20		

▼M3

Species:	Roundnose grenadier *Coryphaenoides rupestris*		Zone: IIIa and Community waters of IIIbcd
Year	2007	2008	
Denmark	1 002	946	
Germany	6	5 (1)	
Sweden	52	49	
EC	1 060	1 000	

(1) Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.

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Species:	Roundnose grenadier *Coryphaenoides rupestris*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI and VII
Year	2007	2008		
Germany	9	9		
Estonia	67	67		
Spain	74	74		
France	3 789	3 789		
Ireland	►M1 323 ◄	299		
Lithuania	87	87		
Poland	44	44		
United Kingdom	222	222		
Others (1)	9	9		
EC	4 624	4 600		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

▼M2

Species:	Roundnose grenadier *Coryphaenoides rupestris*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII and XIV
Year	2007	2008		
Germany	40	40		
Spain	4 391	4 391		
France	202	202		
Ireland	9	9		
United Kingdom	18	18		
Latvia	71	71		
Lithuania	9	9		
Poland	1 374	1 374		
EC	6 114	6 114		

▼M3

Species:	Orange roughy *Hoplostethus atlanticus*		Zone:	VI (Community waters)
Year	2007	2008		
Spain	6	4		
France	33	22		
Ireland	6	4		
United Kingdom	6	4		
EC	51	34		

Species:	Orange roughy *Hoplostethus atlanticus*		Zone:	VII (Community waters)
Year	2007	2008		
Spain	1	1		
France	147	98		
Ireland	43	29		

▼M3

Species:	Orange roughy *Hoplostethus atlanticus*		Zone:	VII (Community waters)
United Kingdom	1	1		
Others (1)	1	1		
EC	193	130		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

Species:	Orange roughy *Hoplostethus atlanticus*		Zone:	Community waters of I, II, III, IV, V, VIII, IX, X, XI, XII and XIV
Year	2007	2008		
Spain	4	3		
France	23	15		
Ireland	6	4		
Portugal	7	5		
United Kingdom	4	3		
EC	44	30		

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Species:	Blue ling *Molva dypterygia*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of II, IV and V
Year	2007	2008		
Denmark	►M1 8 ◄	6		
Germany	7	6		
France	42	34		
Ireland	7	6		
United Kingdom	25	20		
Others (1)	7	6		
EC	96	78		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

Species:	Blue ling *Molva dypterygia*		Zone:	III (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008		
Denmark	►M1 9 ◄	6		
Germany	4	3		
Sweden	8	6		
EC	21	15		

▼M2

Species:	Blue ling *Molva dypterygia*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of VI and VII (2)
Year	2007	2008		
Germany	26	21		
Estonia	4	3		
Spain	83	67		
France	1 898	1 518		
Ireland	7	6		
Lithuania	2	1		
Poland	1	1		
United Kingdom	482	386		
Others (1)	7	6		
EC	2 510	2 009		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.
(2) Member States shall ensure that the fishery for blue ling is scientifically monitored, in particular the activities of those fishing vessels that landed more than 30 tonnes of blue ling in 2005. All vessels shall give prior notification of landing of more than 5 tonnes of blue ling and shall not land more than 25 tonnes of blue ling at the end of any fishing trip.

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Species:	Red seabream *Pagellus bogaraveo*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII
Year	2007	2008		
Spain	238	238		
France	12	12		
Ireland	►M1 10 ◄	9		
United Kingdom	30	30		
Others (1)	9	9		
EC	299	298		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

Species:	Red seabream *Pagellus bogaraveo*		Zone:	IX (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008		
Spain	850	850		
Portugal	230	230		
EC	1 080	1 080		

▼M2

Species:	Red seabream *Pagellus bogaraveo*		Zone:	X (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008		
Spain (1)	10	10		
Portugal (1)	1 116	1 116		

▼**M2**

Species:	Red seabream *Pagellus bogaraveo*		Zone:	X (Community waters and waters not under the sovereignty or jurisdiction of third countries)
United Kingdom ([1])	10	10		
EC ([1])	1 136	1 136		

([1]) Up to 10 % of the 2008 quotas may be taken in December 2007.

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Species:	Forkbeards *Phycis blennoides*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III and IV
Year	2007	2008		
Germany	10	10		
France	10	10		
United Kingdom	16	16		
EC	36	36		

Species:	Forkbeards *Phycis blennoides*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of V, VI and VII
Year	2007	2008		
Germany	10	10		
Spain	588	588		
France	356	356		
Ireland	►**M1** 276 ◄	260		
United Kingdom	814	814		
EC	2 044	2 028		

Species:	Forkbeards *Phycis blennoides*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of VIII and IX
Year	2007	2008		
Spain	242	242		
France	►**M1** 11 ◄	15		
Portugal	10	10		
EC	263	267		

Species:	Forkbeards *Phycis blennoides*		Zone:	Community waters and waters not under the sovereignty or jurisdiction of third countries of X and XII
Year	2007	2008		
France	10	10		
Portugal	43	43		
United Kingdom	10	10		
EC	63	63		