

**COUNCIL REGULATION (EU) No 1182/2013****of 19 November 2013****amending Regulations (EC) No 754/2009, (EU) No 1262/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EC) No 2371/2002<sup>(1)</sup> requires that Union measures governing access to waters and resources and the sustainable pursuit of fishing activities be established taking into account available scientific, technical and economic advice and in particular reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF), as well as advice received from Regional Advisory Councils.
- (2) By Council Regulation (EC) No 754/2009<sup>(2)</sup>, the Council excluded certain groups of vessels from the fishing effort regime laid down in Chapter III of Council Regulation (EC) No 1342/2008<sup>(3)</sup>. The allowable fishing effort for vessels subject to that regime is currently fixed by Annex IIA to Council Regulation (EU) No 39/2013<sup>(4)</sup> and Annex IIA to Council Regulation (EU) No 40/2013<sup>(5)</sup>.
- (3) In June 2013, the International Council for the Exploration of the Sea (ICES) published its advice for Northern hake in 2014. In that advice, ICES indicates that the stock's biomass is at a record high in 2013 and, furthermore, that fishing mortality has decreased sharply in recent years. ICES advised that in 2014, the TAC may be raised by 49 % to 81 846 tonnes. Ireland and Spain requested, in light of this advice, that the TAC in force for this stock be raised in-year from 55 105 tonnes to 69 440 tonnes, to meet the level of landings that ICES estimates as corresponding with the current levels of fishing mortality, which are in turn consistent with maximum sustainable yield. The request is deemed acceptable based on the commitment by the Member States concerned to ensure, through rigorous control of the fishery, that fishing effort and therefore fishing mortality rates remain constant.
- (4) A group of vessels flying the flag of Spain and fishing in the West of Scotland is currently excluded from the application of the fishing effort regime laid down in Regulation (EC) No 1342/2008. On the basis of information provided by Spain in 2013, the STECF was not in a position to assess whether the conditions set out in Regulation (EC) No 1342/2008 remained fulfilled in the 2012 management period. It is therefore appropriate to reinclude this group of Spanish vessels in that fishing effort regime. Regulation (EC) No 754/2009 and Annex IIA to Regulation (EU) No 39/2013 should therefore be amended accordingly.
- (5) A group of vessels flying the flag of France and fishing in the North Sea is currently excluded from the application of the fishing effort regime laid down in Regulation (EC) No 1342/2008. On the basis of information provided by France in 2013, the STECF assessed that catches for those vessels exceeded the established threshold. It is therefore appropriate to reinclude that group of French vessels in that fishing effort regime. Regulation (EC) No 754/2009 and Annex IIA to Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (6) A group of vessels flying the flag of the United Kingdom and targeting queen scallops (*Aequipecten opercularis*) around the Isle of Man in the Irish Sea is currently excluded from the application of the effort regime laid down Regulation (EC) No 1342/2008. However, due to a mathematical error, the effort ceilings in Annex IIA to Regulation (EU) No 39/2013 do not reflect this exclusion. Regulation (EU) No 39/2013 should therefore be corrected accordingly.

<sup>(1)</sup> Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (OJ L 358, 31.12.2002, p. 59).

<sup>(2)</sup> Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008 (OJ L 214, 19.8.2009, p. 16).

<sup>(3)</sup> Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004 (OJ L 348, 24.12.2008, p. 20).

<sup>(4)</sup> Council Regulation (EU) No 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements (OJ L 23, 25.1.2013, p. 1).

<sup>(5)</sup> Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements (OJ L 23, 25.1.2013, p. 54).

- (7) Council Regulation (EU) No 1262/2012 <sup>(1)</sup> fixes catch limits for 2013 and 2014 as regards a list of deep-sea sharks. The Commission requested ICES to give it advice on whether it is appropriate to revise that list. ICES concluded that there is sufficient scientific information supporting the exclusion of blackmouth catshark (*Galeus melastomus*) and the inclusion of all species of the genus *Centrophorus* (*Centrophorus* spp.) on the list of deep-sea sharks. Regulation (EU) No 1262/2012 should therefore be amended accordingly.
- (8) In accordance with the outcome of consultations between coastal states on the management of mackerel, blue whiting, Atlanto-Scandian herring and North Sea haddock, the Union may authorise fishing by Union vessels of up to 10 % beyond the quota available to the Union, provided that any quantities used beyond the quota available to the Union would be deducted from its quota for 2014. Similarly, the Union may use in 2014 any unused quantities up to 10 % of the quota available to it in 2013. It is appropriate to enable such flexibility in the fixing of those fishing opportunities in order to ensure a level-playing field for Union vessels by allowing the Member States concerned to opt for the use of a flexibility quota. Where a Member State has not opted for the use of the flexibility quota in respect of a particular stock, it is appropriate that Articles 3 and 4 of Regulation (EC) No 847/96 continue to apply in accordance with Article 10(2) of Regulation (EU) No 40/2013.
- (9) At its Annual Meeting in 2013, the Indian Ocean Tuna Commission (IOTC) adopted a Resolution aiming at the protection of oceanic whitetip sharks and applicable to fishing vessels on the IOTC Record of Authorised Vessels by prohibiting, as an interim pilot measure, to retain on board, tranship, land or store any part or whole carcass of oceanic whitetip shark. The resolution provides for an exception for artisanal fisheries, namely fishing vessels engaged in fishing operations within the Exclusive Economic Zone (EEZ) of the Member State whose flag they fly. Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (10) At its Annual Meeting in 2010, the Western and Central Pacific Fisheries Commission (WCPFC) adopted a recommendation limiting the number of vessels actively fishing for south Pacific albacore in the Convention Area south of 20° S. Consequently, it should be ensured that Union vessels continue to operate without targeting that species in the WCPFC Convention Area south of 20° S. Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (11) Fishing opportunities for Union vessels in Norwegian waters and for Norwegian vessels in Union waters are established each year in the light of consultations on fishing rights held in accordance with the bilateral agreement on fisheries with Norway <sup>(2)</sup>. Pending the conclusion of those consultations on the arrangements for 2013, Regulation (EU) No 40/2013 fixed provisional fishing opportunities for the stocks concerned. On 18 January 2013, the consultations with Norway were concluded, and Council Regulation (EU) No 297/2013 <sup>(3)</sup> amended the relevant provisions of Regulation (EU) No 40/2013. However, the stock of tusk in Norwegian waters of IV was erroneously excluded from Regulation (EU) No 297/2013. Furthermore, the amount of blue whiting that Norway can fish in Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W did not reflect the agreed record after consultations with that country. Annex IA to Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (12) An error was identified in the number of vessels and the capacity allocated to the Union and authorised to fish for swordfish and albacore in the IOTC Convention Area. Annex VI to Regulation (EU) No 40/2013 should therefore be corrected accordingly.
- (13) Pursuant to the 2012 Act of Accession and Croatia's accession on 1 July 2013, provisions on the allocation of fishing opportunities allocated at Union level to Croatia in 2013 should be included in the relevant Union instruments. The figures concerning the Croatian bluefin tuna fishing and farming capacities added by this Regulation reflect the provisions of the International Commission for the Conservation of Atlantic Tunas (ICCAT) bluefin tuna recovery plan for Croatia until 2013. Furthermore, in accordance with Article 5 of Council Regulation (EC) No 302/2009 <sup>(4)</sup>, each Member State is to ensure that its fishing capacity is commensurate with its quota.

<sup>(1)</sup> Council Regulation (EU) No 1262/2012 of 20 December 2012 fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks (OJ L 356, 22.12.2012, p. 22).

<sup>(2)</sup> Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

<sup>(3)</sup> Council Regulation (EU) No 297/2013 of 27 March 2013 amending Regulations (EU) No 44/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities (OJ L 90, 28.3.2013, p. 10).

<sup>(4)</sup> Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007 (OJ L 96, 15.4.2009, p. 1).

(14) The provisions of this Regulation concerning fishing effort limits should apply from 1 February 2013. The provisions concerning catch limits and allocations should apply from 1 January 2013, except for the new provisions regarding WCPFC and IOTC, which should apply from the date of entry into force of this Regulation. The provisions included as a result of the accession of Croatia to the European Union should apply from the date of that accession. Such retroactive application will be without prejudice to the principle of legal certainty as the fishing opportunities concerned have not yet been exhausted. Since modifications of effort regimes have a direct influence on the economic activities of the fleets concerned, this Regulation should enter into force immediately upon its publication,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

#### **Amendments to Regulation (EC) No 754/2009**

In Article 1 of Regulation (EC) No 754/2009, points (b) and (j) are deleted.

#### *Article 2*

#### **Amendments to Regulation (EU) No 1262/2012**

The Annex to Council Regulation (EU) No 1262/2012 is amended in accordance with the text set out in Annex I to this Regulation.

#### *Article 3*

#### **Amendments to Regulation (EU) No 39/2013**

1. Annex I to Regulation (EU) No 39/2013 is amended in accordance with the text set out in Annex II to this Regulation.
2. Annex IIA to Regulation (EU) No 39/2013 is amended in accordance with the text set out in Annex III to this Regulation.

#### *Article 4*

#### **Amendments to Regulation (EU) No 40/2013**

Regulation (EU) No 40/2013 is amended as follows:

- (1) the following Article is inserted:

#### *'Article 6a*

#### **Flexibility in the fixing of fishing opportunities of certain stocks**

1. This Article shall apply to the following stocks:

- (a) haddock in zone IV, EU waters of IIa;
- (b) blue whiting in EU and international waters of I, II, III, IV, V, VI, VII, VIIla, VIIlb, VIIId, VIIle, XII and XIV;

- (c) mackerel in zones IIIa and IV; EU waters of IIa, IIIb, IIIc and IIId;
- (d) mackerel in areas VI, VII, VIIla, VIIlb, VIIId and VIIle; EU and international waters of Vb; international waters of IIa, XII and XIV;
- (e) mackerel in zones VIIlc, IX and X; EU waters of CECAF 34.1.1;
- (f) mackerel in Norwegian waters of IIa and IVa;
- (g) herring in EU, Norwegian and international waters of I and II.

2. For any of the stocks identified in paragraph 1, a Member State may opt to increase its initial set in Annex I quota by up to 10 %. The Member State concerned shall notify its decision to the Commission in writing. Upon such notification, the increased quota shall be considered as the quota allocated to that Member State for 2013.

3. Any quantities used in 2013 under such increased quota, that exceed the initial quota, shall be deducted on a tonne-for-tonne basis for the purpose of calculating the quota of the Member State concerned for the relevant stock for 2014.

4. Any quantities not used under the initial quota up to 10 % of that quota shall be added for the purpose of calculating the quota of the Member State concerned for the relevant stock for 2014.

5. Any quantities transferred to other Member States pursuant to Article 20(5) of Regulation (EC) No 2371/2002 as well as any quantities deducted pursuant to Articles 37, 105 and 107 of Regulation (EC) No 1224/2009 shall be taken into account for the purpose of establishing quantities used and quantities not used under paragraphs 3 and 4 of this Article.

6. Where a Member States has used the option in paragraph 2 of this Article in respect of a particular stock, Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply to such stock in respect of that Member State.';

- (2) in Article 10(2), the words 'Annex I to' are deleted;

- (3) Article 23 is replaced by the following:

#### *'Article 23*

#### **Sharks**

1. Retaining on board, transshipping or landing any part or whole carcass of thresher sharks of all the species of the family *Alopiidae* in any fishery shall be prohibited.

2. Retaining on board, transshipping or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) in any fishery shall be prohibited, except for vessels under 24 metres overall length engaged solely in fishing operations within the Exclusive Economic Zone of the Member State whose flag they fly, and provided that their catch is destined solely for local consumption.

3. When accidentally caught, species referred to in paragraph 1 and 2 shall not be harmed. Specimens shall be promptly released.’;

(4) Article 29 is replaced by the following:

‘Article 29

**Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and south Pacific albacore fisheries**

1. Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area in the high seas and located between 20° N and 20° S does not increase.

2. EU vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20° S.’.

(5) Annex IA is amended in accordance with the text set out in Annex IV to this Regulation.

(6) Annex ID is amended in accordance with the text set out in Annex V to this Regulation.

(7) Annex IIA is amended in accordance with the text set out in Annex VI to this Regulation.

(8) Annex IV is amended in accordance with the text set out in Annex VII to this Regulation.

(9) Annex VI is amended in accordance with the text set out in Annex VIII to this Regulation.

*Article 5*

**Entry into force**

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

However, Articles 3(1), 4(1), 4(2), 4(5) and 4(9) shall apply from 1 January 2013. Article 1 and Articles 3(2) and 4(7) shall apply from 1 February 2013 and Article 4(6) and (8) shall apply from 1 July 2013.

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

Done at Brussels, 19 November 2013.

*For the Council*

*The President*

L. LINKEVIČIUS

## ANNEX I

In Part 1 of the Annex to Regulation (EU) No 1262/2012, point 2 is replaced by the following:

‘2. For the purposes of this Regulation, “deep-sea sharks” means the following list of species:

Common name	Alpha-3 code	Scientific name
Deep-water catsharks	API	<i>Apristurus</i> spp.
Frilled shark	HXC	<i>Chlamydoselachus anguineus</i>
Gulper sharks	CWO	<i>Centrophorus</i> spp.
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>
Longnose velvet dogfish	CYP	<i>Centroscymnus crepidater</i>
Black dogfish	CFB	<i>Centroscyllium fabricii</i>
Birdbeak dogfish	DCA	<i>Deania calcea</i>
Kitefin shark	SCK	<i>Dalatias licha</i>
Greater lanternshark	ETR	<i>Etmopterus princeps</i>
Velvet belly	ETX	<i>Etmopterus spinax</i>
Mouse catshark	GAM	<i>Galeus murinus</i>
Bluntnose six-gilled shark	SBL	<i>Hexanchus griseus</i>
Sailfin roughshark (Sharpback shark)	OXN	<i>Oxynotus paradoxus</i>
Knifetooth dogfish	SYR	<i>Scymnodon ringens</i>
Greenland shark	GSK	<i>Somniosus microcephalus</i>

## ANNEX II

In Part B of Annex I to Regulation (EU) No 39/2013, the four entries for the Northern component of the stock of hake are replaced by the following:

<b>Species:</b> Hake <i>Merluccius merluccius</i>		<b>Zone:</b> IIIa; EU waters of Subdivisions 22-32 (HKE/3A/BCD)
Denmark	1 929 <sup>(2)</sup>	
Sweden	164 <sup>(2)</sup>	
Union	2 093	
TAC	2 093 <sup>(1)</sup>	Analytical TAC

<sup>(1)</sup> Within the following overall TAC for the northern stock of hake:  
69 440

<sup>(2)</sup> Transfers of this quota may be effected to EU waters of IIa and IV. However, such transfers shall be notified in advance to the Commission.

<b>Species:</b> Hake <i>Merluccius merluccius</i>		<b>Zone:</b> EU waters of IIa and IV (HKE/2AC4-C)
Belgium	35	
Denmark	1 409	
Germany	162	
France	312	
Netherlands	81	
United Kingdom	439	
Union	2 438	
TAC	2 438 <sup>(1)</sup>	Analytical TAC

<sup>(1)</sup> Within the following overall TAC for the northern stock of hake:  
69 440

<b>Species:</b>	Hake <i>Merluccius merluccius</i>	<b>Zone:</b>	VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/571214)
Belgium	358 <sup>(1)</sup> <sup>(3)</sup>		
Spain	11 478 <sup>(3)</sup>		
France	17 726 <sup>(1)</sup> <sup>(3)</sup>		
Ireland	2 148 <sup>(3)</sup>		
Netherlands	231 <sup>(1)</sup> <sup>(3)</sup>		
United Kingdom	6 998 <sup>(1)</sup> <sup>(3)</sup>		
Union	38 939		
TAC	38 939 <sup>(2)</sup>		Analytical TAC Article 11 of this Regulation applies

<sup>(1)</sup> Transfers of this quota may be effected to EU waters of IIa and IV. However, such transfers must be notified in advance to the Commission.

<sup>(2)</sup> Within the following overall TAC for the northern stock of hake:  
69 440

<sup>(3)</sup> In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Chapter II of Title II of this Regulation.

#### Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

	VIIIa, VIIIb, VIId and VIIE (HKE/*8ABDE)	
Belgium	46	
Spain	1 852	
France	1 852	
Ireland	231	
Netherlands	23	
United Kingdom	1 042	
Union	5 046	

<b>Species:</b> Hake <i>Merluccius merluccius</i>		<b>Zone:</b> VIIIa, VIIIb, VIIIc and VIIIe (HKE/SABDE.)
Belgium	12 <sup>(1)</sup>	
Spain	7 991	
France	17 944	
Netherlands	23 <sup>(1)</sup>	
Union	25 970	
TAC	25 970 <sup>(2)</sup>	Analytical TAC

<sup>(1)</sup> Transfers of this quota may be effected to IV and EU waters of IIa. However, such transfers must be notified in advance to the Commission.

<sup>(2)</sup> Within the following overall TAC for the northern stock of hake:  
69 440

**Special condition:**

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

	VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/*57-14)
Belgium	2
Spain	2 315
France	4 166
Netherlands	7
Union	6 490'



## ANNEX III

Annex IIA to Regulation (EU) No 39/2013 is amended as follows:

(a) the column for the United Kingdom (UK) in Table (c) of Appendix 1 is replaced by the following:

Regulated gear	UK
TR1	339 592
TR2	1 086 399
TR3	0
BT1	0
BT2	111 693
GN	5 970
GT	158
LL	70 614'

(b) the column for Spain (ES) in Table (d) of Appendix 1 is replaced by the following:

Regulated gear	ES
TR1	249 152
TR2	0
TR3	0
BT1	0
BT2	0
GN	13 836
GT	0
LL	1 402 142'

## ANNEX IV

Annex IA to Regulation (EU) No 40/2013 is amended as follows:

- (a) the entry for tusk in Norwegian waters of IV is replaced by the following:

<b>Species:</b> Tusk <i>Brosme brosme</i>		<b>Zone:</b> Norwegian waters of IV (USK/04-N.)
Belgium	0	
Denmark	165	
Germany	1	
France	0	
Netherlands	0	
United Kingdom	4	
Union	170	
TAC	Not relevant'	<div> Analytical TAC  Article 3 of Regulation (EC) No 847/96 shall not apply.  Article 4 of Regulation (EC) No 847/96 shall not apply. </div>

- (b) the entry for blue whiting in EU waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W is replaced by the following:

<b>Species:</b> Blue whiting <i>Micromesistius poutassou</i>		<b>Zone:</b> EU waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W (WHB/24A567)
Norway	99 408 <sup>(1)</sup> <sup>(2)</sup>	
TAC	643 000	<div> Analytical TAC </div>

<sup>(1)</sup> To be counted against Norway's catch limits established under the Coastal States arrangement.

<sup>(2)</sup> Special condition: the catch in IV shall be no more than 24 852 tonnes, i.e. 25 % of Norway's access quota.'

## ANNEX V

In Annex ID to Regulation (EU) No 40/2013, the entry for Bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean is replaced by the following:

<b>Species:</b> Bluefin tuna <i>Thunnus thynnus</i>		<b>Zone:</b> Atlantic Ocean, east of 45° W, and Mediterranean (BFT/AE45WM)
Cyprus	69,44 <sup>(4)</sup> <sup>(7)</sup>	
Greece	129,07 <sup>(7)</sup>	
Spain	2 504,45 <sup>(2)</sup> <sup>(4)</sup> <sup>(7)</sup>	
France	2 471,23 <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>	
Italy	1 950,42 <sup>(4)</sup> <sup>(5)</sup> <sup>(7)</sup>	
Croatia	390,59 <sup>(6)</sup> <sup>(7)</sup>	
Malta	160,02 <sup>(4)</sup> <sup>(7)</sup>	
Portugal	235,50 <sup>(7)</sup>	
Other Member States	27,93 <sup>(1)</sup> <sup>(7)</sup>	
Union	7 938,65 <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>	
TAC	13 400	<div style="border: 1px solid black; padding: 5px;"> Analytical TAC  Article 3 of Regulation (EC) No 847/96 shall not apply.  Article 4 of Regulation (EC) No 847/96 shall not apply. </div>

<sup>(1)</sup> Except Cyprus, Greece, Spain, France, Croatia, Italy, Malta and Portugal, and exclusively as by-catch.

<sup>(2)</sup> Special condition: within this TAC, the following catch limits and allocation between Member States shall apply to catches of bluefin tuna between 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 1 of Annex IV (BFT/\*8301):

Spain	364,09
France	164,27
Union	528,36

<sup>(3)</sup> Special condition: within this TAC, the following catch limits and allocation between Member States shall apply to catches of bluefin tuna weighing no less than 6,4 kg or measuring no less than 70 cm by the vessels referred to in point 1 of Annex IV (BFT/\*641):

France	100
Union	100

<sup>(4)</sup> Special condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between and 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 2 of Annex IV (BFT/\*8302):

Spain	50,09
France	49,42
Italy	39,01
Cyprus	3,20
Malta	4,71
Union	146,43

<sup>(5)</sup> Special condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between and 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 3 of Annex IV (BFT/\*643):

Italy	39,01
Union	39,01

(<sup>6</sup>) Special Condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 3 of Annex IV for farming purposes (BFT/\*8303F):

Croatia	351,53
Union	351,53

(<sup>7</sup>) By derogation from Article 7(2) of Regulation (EC) No 302/2009, purse seine fishing for bluefin tuna shall be authorised in the Eastern Atlantic and Mediterranean from 26 May to 24 June 2013 included.

#### ANNEX VI

In Annex IIA to Regulation (EU) No 40/2013, the column for France (FR) in Appendix 1 is replaced by the following:

Regulated gear	FR
TR1	1 505 354
TR2	6 496 811
TR3	101 316
BT1	0
BT2	1 202 818
GN	342 579
GT	4 338 315
LL	125 141'

## ANNEX VII

Annex IV to Regulation (EU) No 40/2013 is replaced by the following:

## ‘ANNEX IV

ICCAT CONVENTION AREA <sup>(1)</sup>

1. Maximum number of EU bait boats and trolling boats authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Eastern Atlantic

Spain	60
France	8
Union	68

2. Maximum number of EU coastal artisanal fishing vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Mediterranean

Spain	119
France	87
Italy	30
Cyprus	7
Malta	28
Union	316

3. Maximum number of EU vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Adriatic Sea for farming purposes:

Croatia	9
Italy	12
Union	21

4. Maximum number and total capacity in gross tonnage of fishing vessels of each Member State that may be authorised to fish for, retain on board, tranship, transport, or land bluefin tuna in the eastern Atlantic and Mediterranean

Table A

Number of fishing vessels							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta <sup>(1)</sup>
Purse Seiners	1	9	1	12	17	6	1
Longliners	4	0	0	30	8	12	20
Baitboat	0	0	0	0	8	60	0
Handline	0	12	0	0	29	2	0

<sup>(1)</sup> The numbers shown in Sections 1, 2 and 3 may decrease in order to comply with international obligations of the Union.

Number of fishing vessels							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta <sup>(1)</sup>
Trawler	0	0	0	0	57	0	0
Other artisanal <sup>(2)</sup>	0	0	16	0	87	32	0

<sup>(1)</sup> One medium size purse seiner may be replaced by no more than 10 longline vessels.

<sup>(2)</sup> Polyvalent vessels, using multi-gear equipment (longline, handline, trolling line).

Table B

Total capacity in gross tonnage							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta
Purse Seiners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Longliners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Baitboats	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Handlines	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Trawlers	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Other artisanal	To be established	To be established	To be established	To be established	To be established	To be established	To be established

5. Maximum number of traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery authorised by each Member State

	Number of traps
Spain	5
Italy	6
Portugal	1 <sup>(1)</sup>

<sup>(1)</sup> This number may be further increased, provided that the international obligations of the Union are complied with.

6. Maximum bluefin tuna farming capacity and fattening capacity for each Member State and maximum input of wild caught bluefin tuna that each Member State may allocate to its farms in the eastern Atlantic and Mediterranean

Table A

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Spain	17	11 852
Italy	15	13 000

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Greece	2	2 100
Cyprus	3	3 000
Croatia	7	7 880
Malta	8	12 300

Table B

Maximum input of wild caught bluefin tuna (in tonnes)	
Spain	5 855
Italy	3 000
Greece	785
Cyprus	2 195
Croatia	2 947
Malta	8 768'

## ANNEX VIII

In Annex VI to Regulation (EU) No 40/2013, point 2 is replaced by the following:

'2. Maximum number of EU vessels authorised to fish for swordfish and albacore in the IOTC Convention Area

Member State	Maximum number of vessels	Capacity (gross tonnage)
Spain	27	11 590
France	41	5 382
Portugal	15	6 925
United Kingdom	4	1 400
Union	87	25 297'