

Conservation of fisheries resources through technical measures: transitional technical measures from 1 January 2010 to 30 June 2011

2008/0112(CNS) - 27/11/2009 - Final act

PURPOSE: to establish transitional technical measures from 1 January 2010 to 30 June 2011.

LEGISLATIVE ACT: Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011.

CONTENT: Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms lays down certain technical measures for the conservation of fishery resources.

Annex III to Council Regulation (EC) No 43/2009 of 16 January 2009 fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and for Community vessels, in waters where catch limitations are required establishes technical measures until 31 December 2009.

On 4 June 2008, the Commission made a proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures, intended to replace Regulation (EC) No 850/98 and to provide for permanent measures on the transitional technical measures currently laid down in Annex III to Regulation (EC) No 43/2009.

Considering that the proposed Council Regulation will not be adopted before the date on which the measures provided for in Annex III to Regulation (EC) No 43/2009 cease to apply, it is necessary for the reasons of legal certainty as well as of maintaining the proper conservation and management of marine resources to provide for the continuation of those measures for a transitional period of 18 months (from 1 January 2010 to 30 June 2011).

With a view to further reducing unwanted catches, the prohibition of high grading as provided for in point 5b of Annex III to Regulation (EC) No 43/2009 should be extended to all ICES zones.

The measures transposing into Community law the recommendations established by the Northeast Atlantic Fisheries Commission (NEAFC) should be amended in order to ensure compliance with the recommendations applicable in 2010.

The measures laid down in Annex III to Regulation (EC) No 43/2009 cease to apply as from 1 January 2010, this Regulation should be applicable as from that date.

ENTRY INTO FORCE: 31/12/2009.

APPLICATION: from 01/01/2010 to 30/06/2011.