

**COMMISSION REGULATION (EC) No 876/2003
of 21 May 2003**

defining specific measures pursuant to Council Regulation (EC) No 2347/2002 concerning catches and landings of deep-sea species for seasonal fisheries by Denmark in the Skagerrak and North Sea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks ⁽¹⁾, and in particular Article 3(3) thereof,

Scope

This Regulation applies to fishing vessels flying the flag of Denmark and registered in the Community which are engaged in the following activities:

Whereas:

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| <p>(1) Regulation (EC) No 2347/2002 prohibits the retention on board, transhipment or landing of any aggregate quantity of deep-sea species in excess of 100 kilograms in each sea trip unless the vessel in question holds a deep-sea fishing permit.</p> <p>(2) Regulation (EC) No 2347/2002 provides however, that upon request of a Member State, specific measures may be laid down by the Commission to take account of seasonal or artisanal fisheries.</p> <p>(3) Denmark has asked for specific measures to be laid down to take account of the seasonal nature of fisheries for deep-sea species in the Skagerrak and in Norwegian waters of ICES Division IVa.</p> <p>(4) Denmark has made available detailed catch information for the fisheries concerned demonstrating the evident need for such measures in order to avoid discarding, in that unavoidable by-catches up to 300 kilograms of some deep-sea species are routinely taken in fisheries targeting other species, such as witch, during some months of the year.</p> <p>(5) It is therefore appropriate to allow Danish vessels not holding a deep-sea fishing permit to retain on board, tranship or land defined quantities of deep-sea species in order to reduce discarding and to reduce waste from the fisheries concerned.</p> <p>(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,</p> | <p>(a) fishing within Norwegian waters of ICES Division IVa in the period 1 May to 31 October and returning directly to port in the period 1 May to 10 November after having fished in Norwegian waters of ICES Division IVa in the period 1 May to 31 October;</p> <p>(b) fishing within the Skagerrak in the period 1 April to 31 May and returning directly to port in the period 1 April to 5 June after having fished in the Skagerrak in the period 1 April to 31 May.</p> |
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Article 2

Specific measures

By way of derogation from Article 3(1) of Regulation (EC) No 2347/2002:

1. vessels which are engaged in the activity defined in Article 1(a) and which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:
 - (a) any quantity of blue ling (*Molva dypterygia*) less than 300 kilograms;
 - (b) any aggregate quantity of deep-sea species other than blue ling (*Molva dypterygia*) less than 100 kilograms;
2. vessels which are engaged in the activity described in Article 1(b) and which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:
 - (a) any quantity of roundnose grenadier (*Coryphaenoides rupestris*) less than 300 kilograms;
 - (b) any aggregate quantity of deep-sea species other than roundnose grenadier (*Coryphaenoides rupestris*) less than 100 kilograms;

⁽¹⁾ OJ L 351, 28.12.2002, p. 6.

3. vessels which are engaged in both the activities defined in Article 1(a) and Article 1(b) which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:
- (a) any quantity of roundnose grenadier (*Coryphaenoides rupestris*) less than 300 kilograms;
 - (b) any quantity of blue ling (*Molva dypterigia*) less than 300 kilograms;
 - (c) any aggregate quantity of deep-sea species other than roundnose grenadier (*Coryphaenoides rupestris*) and blue ling (*Molva dypterigia*) less than 100 kilograms.

Article 3

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

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

Done at Brussels, 21 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission
