Regulation (EU) No 579/2011 of the European Parliament and of the Council of 8 June 2011 amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011

REGULATION (EU) No 579/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 8 June 2011

amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[(1)],

Acting in accordance with the ordinary legislative procedure[(2)],

Whereas:

(1) Council Regulation (EC) No 1288/2009[(3)] provides for the continuation of temporary technical measures previously covered by Annex III to Council Regulation (EC) No 43/2009[(4)], thereby allowing those measures to continue to apply until the adoption of permanent measures.

(2) In view of the forthcoming reform of the common fisheries policy (CFP) and its relevance for the content and scope of new permanent technical measures, it is appropriate to delay the adoption of such measures until a new legislative framework is in place.

(3) In order to maintain the proper conservation and management of marine resources, and given that it can reasonably be expected that a new legislative framework will apply as from 1 January 2013, the technical measures currently in force should continue to apply until that date.

(4) Consequently, since the temporary technical measures laid down in Regulation (EC) No 1288/2009 will cease to apply from 1 July 2011, that Regulation should be amended to extend their validity until 31 December 2012.

Changes to legislation: *Regulation (EU) No 579/2011 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 31 January 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) Fishing quotas for Boarfish (Caproidae) were established for the first time under Council Regulation (EU) No 57/2011[(5)]. It is therefore appropriate to clarify that boarfish may be targeted using towed nets with a mesh size range of 32 to 54 millimetres. Consequently, Annexes I and II to Council Regulation (EC) No 850/98[(6)] should be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 850/98 is hereby amended as follows:

(1) in Annex I, in the table, the following entry is inserted:

"Boarfish (Caproidae)", with a mesh size range of 32 to 54 mm and a minimum percentage of target species of 90/60.;

(2) in Annex II, in the table, the following entry is inserted:

"Boarfish (Caproidae)", with a mesh size range of 32 to 54 mm and a minimum percentage of target species of 90 %..

Article 2

Regulation (EC) No 1288/2009 is hereby amended as follows:

(1) Article 1 is amended as follows:

(a) in paragraph 1, the words '30 June 2011' are replaced by the words '31 December 2012';

(b) paragraph 2 is amended as follows:

(i) point (a) is amended as follows:

— in point (i), the words 'point 6.8 second paragraph' are deleted,

— in point (ii), the words 'from 1 January 2010 to 30 June 2011' are replaced by the words 'from 1 January 2010 to 31 December 2012',

— in point (iv), the words '30 June 2011' are replaced by the words '31 December 2012',

— in point (v), the second subparagraph is replaced by the following:

Member States concerned shall submit to the Commission a preliminary report on the total amount of catches and discards of vessels subject to the observer programme no later that 30 June of the year in which the programme is implemented. The final report for the calendar year concerned shall be submitted no later that 1 February of the year following that calendar year.,

— the following point (vi) is added: