

COMMISSION REGULATION (EC) No 2092/98
of 30 September 1998
concerning the declaration of fishing effort relating to certain Community
fishing areas and resources

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 (EEC) No 3760/92 of 20 December 1992, establishing a Community system of fisheries and aquaculture ⁽¹⁾, as amended by Regulation (EC) No 1181/98 ⁽²⁾, and in particular Article 13 thereof,

Member States shall transmit to the Commission the data referred to in Article 19(f)(1) of Regulation (EEC) No 2847/93 as well as the list of vessels authorised to fish in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 in accordance with the procedures laid down in Annex III hereto. Amendments to the lists of vessels shall be reported to the Commission in accordance with the same procedures at the latest four working days before the entry of vessels into the fishing area. The Commission shall acknowledge receipt of amendments to lists by digital transfer over a telecommunications network not later than two days before the entry of vessels into the fishing area.

Whereas Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾, as last amended by Regulation (EC) No 2635/97 ⁽⁴⁾, and in particular Article 19(f)(3) thereof, which provides that the Commission shall ensure that the Member States responsible for control have available the data concerning the identification of vessels having access to their waters;

Article 2

Whereas the implementation of arrangements for the management of fishing effort in accordance with Council Regulation (EC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources ⁽⁵⁾, and of Council Regulation (EC) No 779/97 of 24 April 1997 introducing arrangements for the management of fishing effort in the Baltic Sea ⁽⁶⁾, highlights the need to adopt provisions to ensure that the data relating to lists of named fishing vessels are communicated without delay;

Member States shall transmit to the Commission the aggregated data on fishing effort referred to in Article 19I of Regulation (EEC) No 2847/93 in accordance with Annex I to this Regulation:

- for each area referred to in Article 19(a)(1) of Regulation (EEC) No 2847/93, before the 15th of each month for the previous month in the case of demersal species,
- for each area referred to in Article 19(a)(1)(a) of Regulation (EEC) No 2847/93, in the case of demersal species, salmon, sea trout and freshwater fish, before 15 April, 15 July, 15 October and 15 January for the previous quarter, and before 15 February of each calendar year for each month of the previous year,
- for each area referred to in Article 19(a) of Regulation (EEC) No 2847/93 for the previous quarter before the end of the first month of each calendar quarter in the case of pelagic species.

Whereas Commission Regulation (EC) No 2090/98 ⁽⁷⁾ establishes the basis for the transmission of data to the fishing vessel register of the Community;

Whereas the communication of data on the fishing effort by fishery should refer to the data contained in the fishing vessel register of the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

Article 3

Corrections to erroneous information contained in the register shall be forwarded to the Commission within 30 days of the date on which the error is detected.

⁽¹⁾ OJ L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ L 164, 9. 6. 1998, p. 1.

⁽³⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽⁴⁾ OJ L 356, 31. 12. 1997, p. 14.

⁽⁵⁾ OJ L 71, 31. 3. 1995, p. 5.

⁽⁶⁾ OJ L 113, 30. 4. 1997, p. 1.

⁽⁷⁾ See page 27 of this Official Journal.

Article 4

Member States shall have access without delay to data concerning the identification of vessels engaged in fishing activity in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 under their jurisdiction or sovereignty in accordance with the procedures laid down in Annex IV hereto.

Article 5

Member States shall communicate the information referred to in this Regulation to the Commission by digital transfer over a telecommunications network in accordance with the detailed rules and codes set out in Annexes I to IV. The Commission shall acknowledge

receipt of messages as soon as they have been validated in the data base.

Article 6

The vessels concerned by this Regulation shall be identified by the internal number recorded in the Community register of fishing vessels, as referred to in Annex I of Regulation (EC) No 2090/98.

Article 7

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

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

Done at Brussels, 30 September 1998.

For the Commission

Emma BONINO

Member of the Commission

ANNEX I

FISHING EFFORT

DEFINITION OF DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

Aggregated declarations by fishery

Name of the zone	Width	Alignment	Definition and remarks
Updating indicator	3	—	Code identifying type of declaration (see Table 1)
Declaring entity	3	—	Member State (Alpha-3 ISO code) making the declaration
Fishery	5	L	Code of fishery (see Annex II) in which activity has taken place
Year of observation	4	—	Year (YYYY) during which the vessel is observed
First month	2	—	First month (MM) of observation period
Last month	2	—	Last month (MM) of observation period
Effort/power	14	R	Number of kW (as a whole number) multiplied by the number of days present in the area (as a whole number) to express fishing effort during the observation period (!)
Filler	14	—	

(!) Calculated as $\sum_{i=1,n} a_i P_i$ where n is the number of vessels in the area, a_i is the number of days spent at sea by the vessel in the area during the observation period and P_i is the average power of the vessel in the area during the period of observation.

Table 1 — Codes for the updating indicator

Declaration by fishery	FIS
Deletion of declaration by fishery	DFI

ANNEX II

Table 1 — Codes for fisheries in western waters — Regulation (EC) No 685/95

Gear	Target species	Effort areas	Code
Towed gear	Demersal species	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TGD0 ⁽⁶⁾
		of which	
		Vb ⁽¹⁾ , VI	TGD1
		of which	
		Irish Box ⁽²⁾	TGD19
		VII	TGD2
		of which	
		VIIa	TGD21
		VII f ⁽²⁾	TGD22
		Irish Box ⁽²⁾	TGD29
		VIIIa, VIIIb, VIII d	TGD3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TGD4 ⁽⁶⁾
		of which	
		IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TGD40
		except	
		VIIIc, VIIIe, IX ⁽³⁾	TGD41
		IX ⁽⁴⁾	TGD42
		X ⁽⁴⁾	TGD43
		CECAF 34.1.1 ⁽³⁾	TGD44
		CECAF 34.1.2 ⁽³⁾	TGD45
CECAF 34.2.0 ⁽³⁾	TGD46		
CECAF 34.1.1 ⁽⁴⁾	TGD47		
CECAF 34.1.2 ⁽⁴⁾	TGD48		
CECAF 34.2.0 ⁽⁴⁾	TGD49		
Static gear	Demersal species	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	SGD0 ⁽⁶⁾
		of which	
		Vb ⁽¹⁾ , VI	SGD1
		of which	
		Irish Box ⁽²⁾	SGD19
		VII	SGD2
		of which	
		VIIa	SGD21
		VII f ⁽²⁾	SGD22
		Irish Box ⁽²⁾	SGD29
		VIIIa, VIIIb, VIII d	SGD3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	SGD4 ⁽⁶⁾
		of which	
		IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	SGD40
		except	
		VIIIc, VIIIe, IX ⁽³⁾	SGD41
		IX ⁽⁴⁾	SGD42
		X ⁽⁴⁾	SGD43
		CECAF 34.1.1 ⁽³⁾	SGD44
		CECAF 34.1.2 ⁽³⁾	SGD45
CECAF 34.2.0 ⁽³⁾	SGD46		
CECAF 34.1.1 ⁽⁴⁾	SGD47		
CECAF 34.1.2 ⁽⁴⁾	SGD48		
CECAF 34.2.0 ⁽⁴⁾	SGD49		

Gear	Target species	Effort areas	Code	
Towed and static gear	Benthic species	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TSB0 ⁽⁶⁾	
		of which	Vb ⁽¹⁾ , VI	TSB1
		of which	Irish Box ⁽²⁾	TSB19
		VII		TSB2
		of which	VIIa	TSB21
		of which	VIIf ⁽²⁾	TSB22
		of which	Irish Box ⁽²⁾	TSB29
		VIIIa, VIIIb, VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TSB3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TSB4 ⁽⁶⁾
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TSB40
		except	VIIIc, VIIIe, IX ⁽³⁾	TSB41
		except	IX ⁽⁴⁾	TSB42
		except	X ⁽⁴⁾	TSB43
		except	CECAF 34.1.1 ⁽³⁾	TSB44
		except	CECAF 34.1.2 ⁽³⁾	TSB45
		except	CECAF 34.2.0 ⁽³⁾	TSB46
		except	CECAF 34.1.1 ⁽⁴⁾	TSB47
		except	CECAF 34.1.2 ⁽⁴⁾	TSB48
		except	CECAF 34.2.0 ⁽⁴⁾	TSB49
Towed gear	Scallops	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TGJ0 ⁽⁶⁾	
		of which	Vb ⁽¹⁾ , VI	TGJ1
		of which	Irish Box ⁽²⁾	TGJ19
		VII		TGJ2
		of which	VIIa	TGJ21
		of which	VIIf ⁽²⁾	TGJ22
		of which	Irish Box ⁽²⁾	TGJ29
		VIIIa, VIIIb, VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TGJ3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		TGJ4 ⁽⁶⁾
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	TGJ40
		except	VIIIc, VIIIe, IX ⁽³⁾	TGJ41
		except	IX ⁽⁴⁾	TGJ42
		except	X ⁽⁴⁾	TGJ43
		except	CECAF 34.1.1 ⁽³⁾	TGJ44
		except	CECAF 34.1.2 ⁽³⁾	TGJ45
		except	CECAF 34.2.0 ⁽³⁾	TGJ46
		except	CECAF 34.1.1 ⁽⁴⁾	TGJ47
		except	CECAF 34.1.2 ⁽⁴⁾	TGJ48
		except	CECAF 34.2.0 ⁽⁴⁾	TGJ49

Gear	Target species	Effort areas	Code		
Static gears	Edible crabs and spider crabs	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	SGC0 ⁽⁶⁾		
		of which	Vb ⁽¹⁾ , VI	SGC1	
		of which	Irish Box ⁽⁵⁾	SGC19	
		VII		SGC2	
		of which	VIIa	SGC21	
		of which	VIIf ⁽²⁾	SGC22	
		of which	Irish Box ⁽⁵⁾	SGC29	
		VIIIa, VIIIb, VIIIc, VIIIId		SGC3	
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		SGC4 ⁽⁶⁾	
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	SGC40	
		of which	except	VIIIc, VIIIe, IX ⁽³⁾	SGC41
		of which	IX ⁽⁴⁾	SGC42	
		of which	X ⁽⁴⁾	SGC43	
		of which	CECAF 34.1.1 ⁽³⁾	SGC44	
		of which	CECAF 34.1.2 ⁽³⁾	SGC45	
		of which	CECAF 34.2.0 ⁽³⁾	SGC46	
of which	CECAF 34.1.1 ⁽⁴⁾	SGC47			
of which	CECAF 34.1.2 ⁽⁴⁾	SGC48			
of which	CECAF 34.2.0 ⁽⁴⁾	SGC49			
Purse seines, pelagic trawls and small-mesh gillnets	Pelagic species except: bream, shark, tuna and highly migratory species	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	PSP0 ⁽⁶⁾		
		of which	Vb ⁽¹⁾ , VI	PSP1	
		of which	Irish Box ⁽⁵⁾	PSP19	
		VII		PSP2	
		of which	VIIa	PSP21	
		of which	VIIf ⁽²⁾	PSP22	
		of which	Irish Box ⁽⁵⁾	PSP29	
		VIIIa, VIIIb, VIIIc, VIIIId		PSP3	
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		PSP4 ⁽⁶⁾	
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	PSP40	
		of which	except	VIIIc, VIIIe, IX ⁽³⁾	PSP41
		of which	IX ⁽⁴⁾	PSP42	
		of which	X ⁽⁴⁾	PSP43	
		of which	CECAF 34.1.1 ⁽³⁾	PSP44	
		of which	CECAF 34.1.2 ⁽³⁾	PSP45	
		of which	CECAF 34.2.0 ⁽³⁾	PSP46	
of which	CECAF 34.1.1 ⁽⁴⁾	PSP47			
of which	CECAF 34.1.2 ⁽⁴⁾	PSP48			
of which	CECAF 34.2.0 ⁽⁴⁾	PSP49			

Gear	Target species	Effort areas	Code	
Surface longliners	Bream, shark, tuna and highly migratory species	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	LLM0 ⁽⁶⁾	
		of which	Vb ⁽¹⁾ , VI	LLM1
		of which	Irish Box ⁽²⁾	LLM19
		VII		LLM2
		of which	VIIa	LLM21
			VIIf ⁽²⁾	LLM22
			Irish Box ⁽²⁾	LLM29
		VIIIa, VIIIb, VIII d		LLM3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		LLM4 ⁽⁶⁾
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	LLM40
		except	VIIIc, VIIIe, IX ⁽³⁾	LLM41
			IX ⁽⁴⁾	LLM42
			X ⁽⁴⁾	LLM43
			CECAF 34.1.1 ⁽³⁾	LLM44
			CECAF 34.1.2 ⁽³⁾	LLM45
			CECAF 34.2.0 ⁽³⁾	LLM46
	CECAF 34.1.1 ⁽⁴⁾	LLM47		
	CECAF 34.1.2 ⁽⁴⁾	LLM48		
	CECAF 34.2.0 ⁽⁴⁾	LLM49		
Gear for tuna fishing	Tuna	Vb ⁽¹⁾ , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	MIT0 ⁽⁶⁾	
		of which	Vb ⁽¹⁾ , VI	MIT1
		of which	Irish Box ⁽²⁾	MIT19
		VII		MIT2
		of which	VIIa	MIT21
			VIIf ⁽²⁾	MIT22
			Irish Box ⁽²⁾	MIT29
		VIIIa, VIIIb, VIII d		MIT3
		VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0		MIT4 ⁽⁶⁾
		of which	IX, X and CECAF 34.1.1, 34.1.2, 34.2.0	MIT40
		except	VIIIc, VIIIe, IX ⁽³⁾	MIT41
			IX ⁽⁴⁾	MIT42
			X ⁽⁴⁾	MIT43
			CECAF 34.1.1 ⁽³⁾	MIT44
			CECAF 34.1.2 ⁽³⁾	MIT45
			CECAF 34.2.0 ⁽³⁾	MIT46
	CECAF 34.1.1 ⁽⁴⁾	MIT47		
	CECAF 34.1.2 ⁽⁴⁾	MIT48		
	CECAF 34.2.0 ⁽⁴⁾	MIT49		

⁽¹⁾ Except in waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.

⁽²⁾ North of 50° 30' N.

⁽³⁾ Only in waters under the sovereignty and/or jurisdiction of Spain.

⁽⁴⁾ Only in waters under the sovereignty and/or jurisdiction of Portugal.

⁽⁵⁾ Part of the zone included in the zone defined in Article 3(5) of Regulation (EC) No 685/95.

⁽⁶⁾ These areas are reserved for the compilation of data and may not be used for the declarations of fishing effort.

Table 2 — Codes for fisheries in the Baltic sea — Regulation (EC) No 779/97

Gear	Target species	Effort areas	Code
Towed gear	Demersal species	Subdivisions 22-32	TGD5
Static gear and driftnets	Demersal species	Subdivisions 22-32	DGD5
All gears	Pelagic species (herring, sprat)	Subdivisions 22-32	AGH5
		of which Management units 3 (1)	AGH51
All gears	Salmon, sea trout and freshwater fish	Subdivisions 22-32	AGS5

(1) Comprising subdivisions 29, 30 and 31 north of latitude 59° 30' N.

ANNEX III

LIST OF VESSELS BY FISHERY

DEFINITION OF THE DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

Name of the zone	Width	Alignment	Definition and remarks
Updating indicator	3	—	Code identifying type of declaration (see Table 1)
Declaring entity	3	—	Member State (Alpha-3 ISO code) making the declaration
Fishery	5	L	Code of fishery (see Annex II) made up of three components: — type of gear (see Table 2) — two characters — type of target species (see Table 3) — one character — code of ICES area (see Table 3, Annex IV) — two characters
Internal number	12	L	Internal number of vessels (see Annex I of Regulation (EG) No 2090/98)
Name of vessel	40	L	
Date of event	8	—	Date (YYYYMMDD) when event occurred

Table 1 — Codes for updating indicator

Addition of vessel to list	ADD
Deletion of vessel from list	SUP
Cancellation of incorrect declaration	CAN

Table 2 — Codes for groups of fishing gear by fishery

Type of gear	Code	Area (1)
Towed gear	TG	W + B
Static gear	SG	W
Towed and static gear	TS	W
Purse seines, pelagic trawls and small-mesh nets	PS	W
Surface longlines	LL	W
Miscellaneous gear	MI	W
Static gear and driftnets	DG	B
All gears	AG	B

(1) B for the Baltic sea and W for western waters

Table 3 — Codes for target species or groups of target species

Species	Code	Area (1)
Demersal species	D	W + B
Pelagic species	P	W + B
Benthic species	B	W
Bream, shark, tuna and highly migratory species	M	W
Scallops	J	W
Edible crabs and spider crabs	C	W
Tuna	T	W
Pelagic species (herring and sprat)	H	B
Salmon, sea trout and fresh water fish	S	B

(1) B for the Baltic sea and W for western waters

ANNEX IV

RULES ON ACCESS TO DATA FOR COASTAL STATES

Table 1 — Identification features of the vessel observed or the vessels of a given fishery (when querying the register)

Identification feature	Width	Definition and remarks
Fishing zone	2	Number of fishing zone (ICES area) as given by the last two characters of the code identifying the fishery (see Annex II) in which the vessel observed is located
External marking	14	In accordance with Regulation (EEC) No 1381/87.
Name of vessel	40	
International radio call sign	7	i.e. the IRCS.
Flag	3	Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).

Table 2 — Data accessible to coastal states from the features in Table 1 (reply from the register)

Identification feature	Width	Definition and remarks
Fishery	5	Code identifying the fishery (see Annex II) in which the vessel observed is located
External marking	14	In accordance with Regulation (EEC) No 1381/87
Name of vessel	40	
International radio call sign	7	i.e. the IRCS.
Flag	3	Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).
Internal number	12	Member State (Alpha-3 ISO code) followed by unique identification number (one to nine characters).
Registration number	14	
Vessel > 15 m between pp and > 18 m overall	1	'Y' = yes; 'N' = no
Declaring entity	3	Member State (Alpha-3 ISO code) making the declaration on the vessel in the fishery concerned.

Table 3 — Rules for access to data on fisheries of the states responsible for controls in western waters ⁽¹⁾ Regulation (EC) No 685/95

Effort area	Area No ⁽²⁾	Country				
Vb ⁽³⁾ , VI	1	IRL	GBR	—	—	—
Irish box (VI) ⁽⁴⁾	19	IRL	GBR	—	—	—
VII	2	IRL	GBR	FRA	—	—
VII a	21	IRL	GBR	—	—	—
VII f ⁽⁵⁾	22	—	GBR	—	—	—
Irish box (VII) ⁽⁴⁾	29	IRL	GBR	—	—	—
VIII a, VIII b, VIII d	3	—	GBR	FRA	—	—
IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 (excluding other waters)	40	—	—	—	ESP	PRT
VIII c, VIII e, IX ⁽⁶⁾	41	—	—	—	ESP	—
IX ⁽⁴⁾	42	—	—	—	—	PRT
X ⁽⁴⁾	43	—	—	—	—	PRT
CECAF 34.1.1 ⁽⁶⁾	44	—	—	—	ESP	—
CECAF 34.1.2 ⁽⁶⁾	45	—	—	—	ESP	—
CECAF 34.2.0 ⁽⁶⁾	46	—	—	—	ESP	—
CECAF 34.1.1 ⁽⁷⁾	47	—	—	—	—	PRT
CECAF 34.1.2 ⁽⁷⁾	48	—	—	—	—	PRT
CECAF 34.2.0 ⁽⁷⁾	49	—	—	—	—	PRT

⁽¹⁾ The declaring state has access to data on its own vessels on all fishery lists.

⁽²⁾ Number of fishing zone as given in the fishery code (see Table 1, Annex II).

⁽³⁾ With the exception of waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.

⁽⁴⁾ Part of the area included in the area defined in Article 3, par. 5 of Regulation (EC) No 685/95.

⁽⁵⁾ North of latitude 50° 30' north

⁽⁶⁾ Only in waters under the sovereignty and/or jurisdiction of Spain.

⁽⁷⁾ Only in waters under the sovereignty and/or jurisdiction of Portugal.

Table 4 — Rules for access to data on fisheries of the states responsible for controls in Baltic sea ⁽¹⁾ Regulation (EC) No 779/97

Effort area	Area No ⁽²⁾	Country
Subdivisions 22-32	5	DNK - DEU - FIN - SWE
Managements units 3	51	FIN - SWE

⁽¹⁾ The declaring state has access to data on its own vessels on all fishery lists.

⁽²⁾ Number of fishing zone as given in the fishery code (see Table 2, Annex II).