

COMMISSION IMPLEMENTING REGULATION (EU) No 1211/2011

of 23 November 2011

operating deductions from certain fishing effort for 2011 on account of overfishing by certain Member States in the previous year

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 ⁽¹⁾ establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006, and in particular Articles 106(1) thereof,

Whereas:

- (1) Council Regulation (EC) No 1415/2004 of 19 July 2004 fixing the maximum annual fishing effort for certain fishing areas and fisheries ⁽²⁾ establishes the maximum annual fishing effort for certain fishing areas and fisheries, in particular for scallops in certain areas of Ireland.
- (2) 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 ⁽³⁾ establishes a fishing effort limitation for four cod stocks in certain geographical areas.
- (3) Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009

and (EC) No 1287/2009 ⁽⁴⁾ establishes the maximum allowable fishing effort for the year 2010.

- (4) Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters ⁽⁵⁾ establishes the maximum allowable fishing effort for the year 2011.
- (5) According to Article 106(1) of Council Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing effort which has been allocated to it, the Commission shall operate deductions from future fishing effort allocations to that Member State.
- (6) Articles 106(2) of Council Regulation (EC) No 1224/2009 establish the criteria and conditions for the operation of such deductions by the Commission.
- (7) Certain Member States have exceeded their fishing effort allocation for the year 2010. It is therefore appropriate to operate deductions from the fishing effort allocated to them in the year 2011.

HAS ADOPTED THIS REGULATION:

Article 1

The maximum allowable fishing effort fixed in Council Regulation (EU) No 57/2011 and, for certain fishing areas and fisheries in Council Regulation (EC) No 1415/2004, is reduced for 2011 for certain Member States as set out in the Annex.

Article 2

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, 23 November 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 258, 5.8.2004, p. 1.

⁽³⁾ OJ L 348, 24.12.2008, p. 20.

⁽⁴⁾ OJ L 21, 26.1.2010, p. 1.

⁽⁵⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

Member State	Geographical area/Species	Gears	Initial 2010 (kW-days)		Changes 2010					Effort uptake (kW-days)	% Uptake	Related to permitted allocation	Effort deduction (kW-days)	Multi- plying factor Art. 106(2) Reg. 1224/09	Effort deduction 2011 (kW-days)	Effort allocation 2011 (kW-days)		Revised effort allocation 2011 (kW-days)
					Art. 11 exclu- sions (kW- days) ⁽³⁾	Art. 13 avoidance (kW- days) ⁽³⁾	Art. 16 ex- change (kW- days) ⁽³⁾	Art. 17 transfers (kW- days) ⁽³⁾	Effort adapted (kW-days)									
Germany	(a) Kattegat	TR2	9 316	⁽¹⁾	0	1 702		14 258	25 276	26 657	105,46 %	5,46 %	- 1 381	1,1	- 1 519	6 987	⁽²⁾	5 468
Germany	(b) Skagerrak, that part of ICES zone IIIa not covered by the Skagerrak and the Kattegat; ICES zone IV and EU waters of ICES zone IIa; ICES zone VIId	TR2	516 154	⁽¹⁾	0	0		- 94 507	421 647	421 766	100,03 %	0,03 %	- 119	1	- 119	436 666	⁽²⁾	436 547
Ireland	ICES VII, Scallops		525 012	⁽⁴⁾					259 012	270 368	104,38 %	4,38 %	- 11 356	1	- 11 356	525 012	⁽⁴⁾	513 656
France	(b) Skagerrak, that part of ICES zone IIIa not covered by the Skagerrak and the Kattegat; ICES zone IV and EU waters of ICES zone IIa; ICES zone VIId	TR1	2 214 240	⁽¹⁾	0	339 670		0	2 553 910	2 680 473	104,96 %	4,96 %	- 126 563	1	- 126 563	1 840 286	⁽²⁾	1 713 723
France	(d) ICES zone VIa and EU waters of ICES zone Vb	TR1	3 387 803	⁽¹⁾	702 070	10 299		- 178 123	2 517 909	2 611 435	103,71 %	3,71 %	- 93 526	1	- 93 526	1 980 786	⁽²⁾	1 887 260

Member State	Geographical area/Species	Gears	Initial 2010 (kW-days)		Changes 2010					Effort uptake (kW-days)	% Uptake	Related to permitted allocation	Effort deduction (kW-days)	Multiplying factor Art. 106(2) Reg. 1224/09	Effort deduction 2011 (kW-days)	Effort allocation 2011 (kW-days)		Revised effort allocation 2011 (kW-days)
					Art. 11 exclusions (kW-days) ⁽³⁾	Art. 13 avoidance (kW-days) ⁽³⁾	Art. 16 exchange (kW-days) ⁽³⁾	Art. 17 transfers (kW-days) ⁽³⁾	Effort adapted (kW-days)									
United Kingdom	(b) Skagerrak, that part of ICES zone IIIa not covered by the Skagerrak and the Kattegat; ICES zone IV and EU waters of ICES zone IIa; ICES zone VIII	TR1	8 938 164	⁽¹⁾	0	2 819 635		660 115	12 417 914	12 450 755	100,26 %	0,26 %	- 32 841	1	- 32 841	7 561 687	⁽²⁾	7 528 846
		TR2	7 409 969	⁽¹⁾	0	2 010 770		0	9 420 739	10 274 753	109,07 %	9,07 %	- 854 014	1,1	- 939 415	6 268 834	⁽²⁾	5 329 419
United Kingdom	(c) ICES zone VIIa	TR2	1 934 646	⁽¹⁾	0	366 622		300 000	2 601 268	2 931 719	112,70 %	12,70 %	- 330 451	1,2	- 396 541	1 450 985	⁽²⁾	1 054 444

⁽¹⁾ Quantity as fixed by Council Regulation (EU) No 53/2010 - Appendix 1 to annex IIA

⁽²⁾ Quantity as fixed by Council Regulation (EU) No 57/2011 - Appendix 1 to annex IIA

⁽³⁾ Council Regulation (EC) No 1342/2008

⁽⁴⁾ Quantity as fixed by Council Regulation (EC) No 1415/2004 - Annex I