

COMMISSION REGULATION (EC) No 2091/98
of 30 September 1998
concerning the segmentation of the Community fishing fleet and fishing effort
in relation to the multiannual guidance programmes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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,

Whereas in accordance with Article 5 of Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽³⁾, as last amended by Council Regulation (EC) No 25/97 ⁽⁴⁾, multiannual guidance programmes for the period 1997/2001 were adopted by Commission Decisions 98/119/EC to 98/131/EC ⁽⁵⁾; whereas the data necessary in order to follow these programmes must be forwarded to the Commission, including fishing effort data for individual vessels or aggregated by segments of the fleet or by fisheries, depending on the particular cases;

Whereas Commission Regulation (EC) No 2090/98 ⁽⁶⁾, establishes the basis for the transmission of data to the fishing vessel register of the Community;

Whereas the communication of data on the segmentation of the fishing fleet and 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,

HAS ADOPTED THIS REGULATION:

Article 1

The segment to which each vessel entering the fishing fleet belongs or any change to segment to which an existing vessel belongs must be communicated to the fishing vessel register of the Community by the Member

State in accordance with the provisions of Regulation (EC) No 2090/98.

The segment codes to be used are those shown in Annex I.

The vessels concerned 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 2

For each segment for which a Member State submits to the Commission a programme of fishing effort limitation, either by fishery in accordance with Article 6 of Council Decision 97/413/EC ⁽⁷⁾, or by segment in order to make up any backlog from the previous multiannual guidance programme partly by reductions in activity, the following procedures shall be adopted:

- the Member State shall collect the individual data on the fishing effort of the vessels in the segment or fishery,
- the processing of these data by a computer programme shall be effected by the Member State,
- the transmission to the Commission of the individual data or data aggregated by segment or fishery shall be effected annually by 31 March at the latest for the preceding calendar year in accordance with tables A and B in Annex II to this Regulation.

Article 3

For the segments using active gear not covered by the programmes referred to in Article 2, Member States shall collect and process the minimum data provided for in Annex II needed to ascertain that the level of activity for these do not increase, or, if they increase, to evaluate the increase. To this end, the following procedures shall be applied:

- the minimum data provided for in Annex II permitting the evolution of fishing activity for the segments concerned to be monitored shall be collected and processed by the Member State. Details of the sampling methods selected for each segment of the fleet, together with the values of the statistical para-

⁽¹⁾ OJ L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ L 164, 9. 6. 1998, p. 1.

⁽³⁾ OJ L 346, 31. 12. 1993, p. 1.

⁽⁴⁾ OJ L 6, 10. 1. 1997, p. 7.

⁽⁵⁾ OJ L 39, 12. 2. 1998, p. 1, 9, 15, 21, 27, 34, 41, 47, 53, 59, 65, 73 and 79.

⁽⁶⁾ See page 27 of this Official Journal.

⁽⁷⁾ OJ L 175, 3. 7. 1997, p. 27.

meters describing the precision of the estimates of fishing effort, shall be communicated to the Commission at the time of their application. Any other procedure giving results of comparable precision shall be acceptable provided it has been approved by the Commission,

- the results shall be forwarded to the Commission annually by 31 March at the latest for the preceding calendar year in accordance with table B in Annex II to this Regulation,
- if a Member State establishes an increase in activity for a given segment, it shall calculate the effect of this increase on the fishing effort for this segment and shall inform the Commission of the results in accordance with Article 2.

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

Done at Brussels, 30 September 1998.

Article 4

Member States shall communicate to the Commission the data referred to in this regulation by digital transfer over a telecommunications network in accordance with the detailed rules and codes set out in Annexes I and II. The Commission shall acknowledge receipt of messages as soon as they have been validated in the data base.

Article 5

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

Article 6

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

For the Commission

Emma BONINO

Member of the Commission

ANNEX I

Table 1: Codes of the MAGP IV segments and fisheries to be used for events occurring on or after 1 January 1997

Country	Area	Stocks	Segment	Segment code	Fishery	Fishery code
BEL	EU Waters	Demersal and Flatfish	Beam trawlers	4A1		
BEL	EU Waters	Demersal and Flatfish	Demersal trawlers	4A2		
BEL			Not covered by the MAGP	4AZ		
DNK	Coastal waters		Small scale coastal < 12 m	4B1		
DNK	EU waters	Demersal and flatfish	Netters	4B2		
DNK	EU and international waters	Demersal, flatfish, crustacea and pelagic	Trawlers and seiners (Danish seine)	4B3		
DNK	EU and international waters	Pelagic	Purse seiners and pelagic trawlers	4B4		
DNK			Not covered by the MAGP	4BZ		
DEU	Baltic and North Sea	Demersal and herring	Small scale coastal < 12 m	4C1		
DEU	Baltic and North Sea	Demersal	Passive gear > 12 m	4C2		
DEU	Baltic and North Sea	Demersal	Trawlers	4C3		
DEU	North Sea	Flatfish	Beam trawlers	4C4	Flatfish North Sea	F1
DEU	North Sea	Flatfish and crustacea	Beam trawlers (list I and II)	4C5		
DEU	EU Waters	Pelagic	Trawlers	4C6	Pelagic EU waters	F1
DEU	Third country, NAFO, NEAFC, EU Waters	Demersal	Trawlers	4C7		
DEU			Not covered by the MAGP	4CZ		
GRC	Coastal waters		Small scale coastal < 12 m	4D1		
GRC	Mediterranean	Demersal		4D2		
GRC	Mediterranean	Pelagic	Gri-gri	4D3		
GRC	Mediterranean	Sponges		4D4		
GRC	Mediterranean	Pelagic and demersal	> 12 metres	4D5		
GRC	International waters	Demersal		4D6		
GRC			Not covered by the MAGP	4DZ		
ESP	EU waters	Demersal and pelagic	Artisanal < 12 m	4E1		
ESP	EU waters	Demersal	Trawlers	4E2		
ESP	EU waters	Demersal, pelagic and tuna-like fish	Fixed gear	4E3		
ESP	EU waters	Pelagic	Purse seiners	4E4		
ESP	International and third country waters	Demersal and pelagic	Trawl and mobile gear	4E5		
ESP	International and third country waters		Fixed gear	4E6		

Country	Area	Stocks	Segment	Segment code	Fishery	Fishery code
ESP	International and third country waters	Demersal, pelagic and tuna-like fish	Tuna fleet	4E7		
ESP			Not covered by the MAGP	4EZ		
FRA	EU waters	Demersal and pelagic	Small scale coastal < 12 m	4F1	Atlantic, Channel, North Sea, Demersal and pelagic	F1
FRA	Atlantic, Channel, North Sea		Trawlers 0-30 m	4F2		
FRA	Atlantic, Channel, North Sea	Demersal and pelagic	Trawlers > 30 m	4F3		
FRA	Atlantic, Channel, North Sea	Demersal and pelagic	Non trawlers 12-25 m	4F4		
FRA	Atlantic, Channel, North Sea	Demersal and pelagic	Non trawlers > 25 m	4F5		
FRA	Atlantic, Channel, North Sea	Pelagic	Pelagic trawlers > 50 m	4F6	Community waters	F1
					International waters	F2
FRA	Mediterranean	Demersal and small pelagic	Small scale specialised	4F7	Mediterranean, demersal and small pelagic	F1
FRA	Mediterranean	Demersal and small pelagic	Trawlers	4F8		
FRA	Mediterranean	Pelagic	Seiners	4F9	Tuna	F1
					Small pelagics	F2
FRA	International waters	Pelagic	Dakar pole & line vessels	4FA		
FRA	International waters	Large pelagic (Tuna)	Seiners	4FB		
FRA	Réunion	Demersal and pelagic	< 12 metres	4FC		
FRA	Réunion	Pelagic	Tuna vessels	4FD		
FRA	Réunion	Pelagic	Others > 12 metres	4FE		
FRA	Guyane	Demersal and pelagic	< 12 metres	4FF		
FRA	Guyane	Crustacea	Shrimp vessels	4FG		
FRA	Guyane	Pelagic	Offshore vessels	4FH		
FRA	Martinique	Demersal and pelagic	< 12 metres	4FJ		
FRA	Martinique	Pelagic	> 12 metres	4FK		
FRA	Guadeloupe	Demersal and pelagic	< 12 metres	4FL		
FRA	Guadeloupe	Pelagic	> 12 metres	4FM		
FRA			Not covered by the MAGP	4FZ		
IRL	EU waters	Demersal and pelagic	Polyvalent	4G1		
IRL	EU waters	Pelagic	Pelagic trawl and purse seines	4G2		
IRL	EU waters	Flatfish and demersal	Beam trawl	4G3		
IRL			Not covered by the MAGP	4GZ		
ITA	Coastal	Demersal and pelagic	Small scale coastal < 12 m	4H1		
ITA	Coastal	Demersal and pelagic	Bottom trawlers	4H2		
ITA	Coastal	Demersal and pelagic	Pelagic pair trawlers	4H3		

Country	Area	Stocks	Segment	Segment code	Fishery	Fishery code
ITA	Coastal	Demersal and pelagic	Small purse seiners	4H4		
ITA	Coastal	Demersal	Hydraulic dredgers	4H5		
ITA	Coastal	Demersal and pelagic	Polyvalents	4H6		
ITA	Mediterranean	Demersal	Bottom trawlers	4H7		
ITA	Mediterranean	Demersal	Polyvalents non trawlers	4H8		
ITA	Mediterranean	Pelagic	Tuna purse seiners	4H9		
ITA	Mediterranean	Demersal and pelagic	Swordfish fleet	4HA		
ITA	Oceans	Demersal and pelagic	Trawlers and purse seiners	4HB		
ITA			Not covered by the MAGP	4HZ		
NLD	Coastal waters		Small scale coastal < 12 m	4J1		
NLD	EU, third country and international waters	Pelagic and demersal	Pelagic trawlers	4J2	EU, third country and international waters, pelagic and demersal	F1
NLD	EU waters	Flatfish, pelagic and demersal	Cutters > 221 kW	4J3	Flatfish, pelagic and demersal, EU waters	F1
NLD	EU waters	Flatfish, pelagic and demersal	Eurocutters < 221 kW	4J4	Flatfish, pelagic and demersal, EU waters	F1
NLD	EU waters		Small vessels	4J5		
NLD			Not covered by the MAGP	4JZ		
PRT	ICES IXa	Demersal	Small scale coastal < 12 m	4K1		
PRT	ICES IXa, IXb, X and CECAF	Demersal	Fixed gear > = 12 m	4K2		
PRT	ICES VIIIc, IXa and IXb	Demersal and horse mackerel	Trawl	4K3		
PRT	ICES IXa	Small pelagics	Seine	4K4		
PRT	International waters	Demersal and pelagic	Polyvalent trawl and longline small scale coastal < 12 m	4K5		
PRT	CECAF	Demersal		4K6		
PRT	CECAF and international waters	Demersal and pelagic	Fixed gear > = 12 m	4K7		
PRT	CECAF and international waters	Pelagic	Seine	4K8		
PRT	ICES X	Demersal	Small scale coastal < 12 m	4K9		
PRT	ICES X and international waters	Demersal and pelagic	Fixed gear > = 12 m	4KA		
PRT			Not covered by the MAGP	4KZ		

Country	Area	Stocks	Segment	Segment code	Fishery	Fishery code
FIN	Baltic, ICES IIIbcd	Pelagic, salmon	Small scale coastal < 12 m	4L1		
FIN	Baltic, ICES IIIbcd	Pelagic	Trawlers	4L2		
FIN	Baltic, ICES IIIbcd	Demersal	Trawlers	4L3		
FIN	Baltic, ICES IIIbcd	Salmon, demersal	Passive gear	4L4		
FIN			Not covered by the MAGP	4LZ		
SWE	Baltic, Kattegat and Skagerrak		Small scale coastal < 12 m	4M1		
SWE	Kattegat, Skagerrak and North Sea	Shrimp and demersal	Trawlers	4M2		
SWE	Baltic, Kattegat, Skagerrak, North Sea and Norwegian Sea	Pelagic	Trawlers, purse seiners	4M3		
SWE	Baltic, Kattegat, Skagerrak and North Sea	Cod and Nephrops	Bottom trawlers	4M4	Baltic, Kattegat, Skagerrak and North Sea, Cod and Nephrops	F1
SWE	Baltic	Cod	Passive gear vessels > 12 m	4M5		
SWE	Baltic	Salmon	Passive gear vessels > 12 m	4M6		
SWE			Not covered by the MAGP	4MZ		
GBR			Small scale coastal < 10 m	4N1		
GBR	EU waters	Pelagic	Pelagic trawl and purse seines	4N2	North Sea, herring IV, VIId, Western pelagic Vb, VI, VII ex VIId, VIII	F1 F2
					External waters (Atlanto-Scandian herring)	F3
					Blue whiting IV, VI, VII, VIII	F4
GBR	EU waters	Flatfish	Beam trawl	4N3	Flatfish IV	F1
					Flatfish VII, VI	F2
GBR	EU waters	Demersal	Demersal trawl, seines, Nephrops	4N4	Demersal IV, Vb, VI, VII, VIII	F1
GBR	EU waters	Demersal and pelagic	Lines and nets	4N5		
GBR	EU waters	Shellfish (and demersal)	Shellfish fixed	4N6		
GBR	EU waters	Shellfish (and demersal)	Shellfish mobile	4N7		
GBR	EU waters and international waters	Demersal	Distant water	4N8	EU waters	F1
					External waters	F2
GBR			Not covered by the MGAP	4NZ		

Table 2: Codes of the MAGP III segments to be used for events occurring between 1 January 1992 and 1 January 1997

Country	Zone	Type of fishing ('segment')	ICES area	Code
BEL	Coastal and Community waters	Netters and beam trawlers	IIIa, IV, VII, VIIIa, VIIIb	E10
BEL	Community/third country/international waters	Bottom trawlers	IV, V, VI, VII	G14

Country	Zone	Type of fishing ('segment')	ICES area	Code
DNK	Coastal/Community/international waters	Vessels under 5 grt	—	B08
DNK	Coastal/Community/international waters	Pelagic fishing	—	B09
DNK	Coastal/Community/international waters	Greenland trawlers	Greenland	B10
DNK	Coastal/Community/international waters	Trawlers and Danish seiners	ICES + Agreements with Norway, Sweden, Faroe	B12
DNK	Coastal/Community/international waters	Netters etc.	ICES + Agreements with Norway, Sweden, Faroe	B13
DNK	Coastal/Community/international waters	Seiners	ICES + Agreements with Norway, Sweden, Faroe	B17
DEU	Coastal waters	Mussel fishery	—	C10
DEU	Coastal waters	Beam trawlers (crustaceans)	—	C11
DEU	Coastal waters	Beam trawlers (flatfish)	—	C12
DEU	Coastal waters	Netters	—	C19
DEU	Community/third country/international waters	Beam trawlers (flatfish)	—	G13
DEU	Community/third country/international waters	Bottom trawlers (cutters)	—	G17
DEU	Community/third country/international waters	Pelagic trawlers	—	G19
DEU	Community/third country/international waters	Pelagic cutter trawlers	EC and third countries	G20
DEU	Community/third country/international waters	Longlining cutters	—	G21
DEU	Community/third country/international waters	Large freezer trawlers	EC + NAFO + third countries	G22
GRC	Coastal waters + Mediterranean open sea	Bottom trawlers	—	E14
GRC	Coastal waters + Mediterranean open sea	Fixed gear and seiners and sponge fishery	—	E20
GRC	Third country/international waters	Trawlers (oceanic)	—	G18
ESP	Coastal/Community/Mediterranean waters	Trawlers + multipurpose vessels + dredgers (except Article 158)	VIIIc, IXa, Med	D10
ESP	Coastal/Community/Mediterranean waters	Pelagic seiners + netters etc. + Canaries (+ Article 160)	VIIIc, IXa, Med	D11
ESP	Third country/international waters	Trawlers + multipurpose vessels	—	G12
ESP	Third country/international waters	Pelagic seiners + netters, etc.	—	G26
ESP	Third country/international waters	Tuna vessels	—	G28
FRA	Coastal/Community/third country waters	Multipurpose vessels, passive gear and pelagic + rod-and-line	—	A10
FRA	Coastal/Community/third country waters	Multipurpose trawlers	—	A11
FRA	Coastal/Community/third country waters	Multipurpose vessels, non-trawlers + dredgers	—	A12
FRA	Tropical tuna freezer fleet	Seiners	—	H10
FRA	Overseas departments	Overseas departments	—	I10
FRA	Overseas departments	Tuna vessels	—	I11
FRA	Mediterranean	Multipurpose trawlers	—	M11
FRA	Mediterranean	Multipurpose vessels, non-trawlers except pelagic	—	M13

Country	Zone	Type of fishing ('segment')	ICES area	Code
IRL	Coastal waters	Shellfish fishery	—	C24
IRL	Coastal and Community waters	Beam trawlers	VI, VII	E11
IRL	Coastal and Community waters	Pelagic trawlers	VI, VII	E15
IRL	Coastal and Community waters	Multipurpose vessels	VI, VII	E19
ITA	Coastal waters	Pelagic pair trawlers	—	C13
ITA	Coastal waters	Bottom and midwater trawlers	—	C14
ITA	Coastal waters	Manual dredgers	—	C15
ITA	Coastal waters	Suction dredgers	—	C16
ITA	Coastal waters	Netters	—	C18
ITA	Coastal waters	Longliners and liners	—	C20
ITA	Coastal waters	Multipurpose trawlers	—	C21
ITA	Coastal waters	Multipurpose vessels, non-trawlers	—	C22
ITA	Coastal waters	Seiners	—	C23
ITA	Third country/international waters	Bottom trawlers	—	G15
ITA	Third country/international waters	Multipurpose vessels, non-trawlers	—	G29
ITA	Mediterranean	Bottom trawlers	—	M10
ITA	Mediterranean	Multipurpose vessels, non-trawlers	—	M12
NLD	Coastal waters	Non trawlers including mollusc fishery	—	C17
NLD	Community waters	Beam trawlers (crustaceans and molluscs)	—	E12
NLD	Community waters	Pelagic trawlers	—	E16
NLD	Community waters	Beam cutter trawlers (except crustaceans and molluscs)	—	E17
PRT	Coastal and Community waters	Trawlers (mainland)	—	B11
PRT	Coastal and Community waters	Multipurpose vessels [Azores]	—	B14
PRT	Coastal and Community waters	Multipurpose vessels, non-trawlers (mainland)	—	B15
PRT	Coastal and Community waters	Multipurpose vessels, non-trawlers (Madeira)	—	B16
PRT	Coastal and Community waters	Seiners (Madeira)	—	B18
PRT	Coastal and Community waters	Sardine seiners (mainland)	—	B19
PRT	Third country/international waters	Multipurpose vessels (Azores)	—	G23
PRT	Third country/international waters	Multipurpose vessels + tuna vessels (Madeira)	—	G25
PRT	Third country/international waters	Multipurpose + trawlers + tuna seiners (mainland)	—	G27
FIN	Coastal/Community/third country waters	Trawlers (Baltic herring) (mainland)	—	F21
FIN	Coastal/Community/third country waters	Netters + longliners (salmon) (mainland)	—	F22
FIN	Coastal/Community/third country waters	Other vessels (mainland)	—	F23
FIN	Gulf of Finland	Specialised vessels (salmon) (mainland)	—	F24

Country	Zone	Type of fishing ('segment')	ICES area	Code
FIN	Coastal/Community/third country waters	Trawlers (Baltic herring) (Aaland islands)	—	F25
FIN	Coastal/Community/third country waters	Netters + longliners (salmon) (Aaland islands)	—	F26
FIN	Coastal/Community/third country waters	Other vessels (Aaland islands)	—	F27
SWE	Coastal/Community/third country waters	Trawlers (crustaceans)	—	F28
SWE	Coastal/Community/third country waters	Pelagic trawlers + seiners > 30 m	—	F29
SWE	Coastal/Community/third country waters	Multipurpose vessels	—	F30
SWE	Coastal/Community/third country waters	Netters + Baltic longliners (cod and salmon)	—	F31
SWE	Coastal/Community/third country waters	Other vessels	—	F32
GBR	Coastal/Community/third country/international waters	Beam trawlers	—	F10
GBR	Coastal/Community/third country/international waters	Bottom trawlers and seiners	—	F11
GBR	Coastal/Community/third country/international waters	Pelagic trawlers	—	F12
GBR	Coastal/Community/third country/international waters	Fixed gear for crustaceans and molluscs	—	F13
GBR	Coastal/Community/third country/international waters	Mobile gear for crustaceans and molluscs	—	F14
GBR	Coastal/Community/third country/international waters	Netters + liners + other demersal	—	F15
GBR	Coastal/Community/third country/international waters	Nephrops vessels	—	F16
GBR	Coastal/Community/third country/international waters	Distant-water vessels	II, XIV	F17
GBR	Coastal/Community/third country/international waters	Other > 10 m	—	F18
GBR	Coastal/Community/third country/international waters	Multipurpose vessels, non trawlers < 10 m	—	F19

ANNEX II

FISHING EFFORT

DEFINITION OF DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

A. Individual declarations by segment or 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
Segment code	3	—	Code of segment (see Annex I) in which activity has taken place
Fishery code	2	—	Code of fishery (see Annex I) in which activity has taken place
Year of observation	4	—	Year or part of 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
Activity	3	R	Number of days at sea (as a whole number) spent by vessel in the segment during the period of observation
Vessel observed	12	L	Internal number (see Annex I of Regulation (EC) No 2090/98) of vessel whose activity is being declared
Name of vessel	40	L	Vessel whose activity is being declared

B. Aggregated declarations by segment or 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
Segment code	3	—	Code of segment (see Annex I) in which activity has taken place
Fishery code	2	—	Code of fishery (see Annex I) in which activity has taken place
Year of observation	4	—	Year or part of 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 at sea (as a whole number) to express fishing effort in the segment during the period of observation ⁽¹⁾
Effort/tonnage	14	R	Number of tonnes (as a whole number) multiplied by the number of days at sea (as a whole number) to express fishing effort in the segment during the period of observation ⁽²⁾

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

⁽²⁾ Calculated as $\sum_{i=1}^n a_i J_i$ where n is the number of vessels in the segment, a_i the number of days spent at sea by the vessel in the segment during the observation period and J_i is the average tonnage of the vessel in the segment during the period of observation.

Table 1 — Codes for the updating indicator

Declaration by segment or fishery	SEG
Deletion of declaration by segment or fishery	DSG