



Notification Number: 2010/534/UK

National Eel Fishing (Net and Trap) Byelaws

Date received : 03/08/2010

End of Standstill : 04/11/2010

Message

Message 001

Communication from the Commission - SG(2010) D/51991

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2010/0534/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201001991.EN)

1. Structured Information Line

MSG 001 IND 2010 0534 UK EN 03-08-2010 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Innovation & Enterprise Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

1. Department for Environment, Food and Rural Affairs (Defra)
Nobel House, Smith Square, London, SW1P 3JR

2. Welsh Assembly Government



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Aberystwyth
SY23 3UR

4. Notification Number

2010/0534/UK - C10A

5. Title

National Eel Fishing (Net and Trap) Byelaws

6. Products Concerned

The byelaws apply to fishing for European eel and elver (young eel) using nets or traps in England & Wales. They do not apply to fishing with rod and line.

7. Notification Under Another Act

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8. Main Content

These byelaw proposals are concerned with exploitation and the existing eel (*Anguilla anguilla*) net fisheries present in England and Wales. The effects of each of the proposed byelaws that set down technical standards are described below.

Byelaw 3 (Restrictions on Fishing for Eels) – This byelaw sets out the dimensions for elver dip nets and how an elver net can be used. 3 (2a) Elver nets - limit fishing effort - to ensure consistency and describes size of gear presently in use. 3 (2b) length of handle - aimed at confining fishing to the bank as opposed to further out in the river.

Byelaw 5 (Types of Instrument) - bans trawling for eel anywhere in England and Wales. It also describes the type of structure or equipment that can be authorised to take eel. 5 (2a) 12 mm gaps - ensure small (yellow) eel are not caught. 5 (2b) net and trap dimensions- to ensure consistency and limit fishing effort (and relates to the standard gear already in use). 5 (4) - to ensure undersize/unmarketable eel are not taken - prevents overfishing. 5 (5&6) mesh size and monofilament - to reduce the chance of gilling fish, especially in the leaders.

Please note that the requirement to return to the water all eel less than 30cm in length caught by any method other than an elver dip net (Byelaw 5 (3)) means that a dip net is the only method that may be used to take elver.

Byelaw 6 (Mode of Use) - prohibits the use of authorised equipment in specific places and specific ways. This includes fishing within 30 metres of any obstruction. The byelaw states how this is measured. 6 (3) 30 m - to ensure it is not possible to create a barrier and prevent fish moving upstream & downstream / blocking off a tributary. 6 (4) 30 m - to reduce the chance of overexploitation as eel or elvers may get held up by a barrier.

The UK will fulfil its obligation under Article 12 of Directive 98/34/EC when these regulations are officially published.



9. Brief Statement of Grounds

Advice from the International Council for the Exploration of the Sea (ICES) in 2006 indicated that the stock of the European eel (*Anguilla anguilla*) is outside safe biological limits across European waters. The population has declined significantly, reducing to 5% of the original 1980s stock levels. In response to this advice, the European Union adopted Council Regulation (EC) No 1100/2007 (the EU Eel Regulation), which requires Member States to undertake a series of measures aimed at the recovery of eel stock. The goal is to achieve 40% escapement of adult eels, relative to that in absence of anthropogenic factors, to sea to spawn.

In accordance with Article 4 of Council Regulation (EC) No 1100/2007 Eel Management Plans for each river basin in England and Wales have been produced and approved by the Commission. For each river basin district, we set out our plans for action to make sure eel and elver fisheries are sustainable. The proposed byelaws support this aim.

10. Reference Documents - Basic Texts

No Basic Text exists

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Impact Assessment not available

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

Catherine Day
General Secretary
European Commission



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

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