



Council of the
European Union

Brussels, 24 October 2016
(OR. en)

13602/16

PECHE 387
DELECT 220

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	20 October 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2016) 6606 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 20.10.2016 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea

Delegations will find attached document C(2016) 6606 final.

Encl.: C(2016) 6606 final



Brussels, 20.10.2016
C(2016) 6606 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 20.10.2016

establishing a discard plan for certain demersal fisheries in the Mediterranean Sea

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

A key objective of the Common Fisheries Policy (CFP), as set out in Regulation (EU) 1380/2013¹ is to reduce high levels of unwanted catches and to gradually eliminate discards in all EU fisheries. Discarding constitutes a substantial waste of resources and negatively impacts on the sustainable exploitation of resources as well as the economic viability of fisheries. The CFP also provides for increased regionalisation, which avoids/minimises micromanagement at Union level and also ensures that rules are adapted to the specific characteristics of each fishery and sea area.

The CFP provides for a series of provisions to facilitate the implementation of the landing obligation. There are generic flexibility provisions which can be applied by Member States in the context of quota management or, in the Mediterranean Sea, where minimum conservation reference sizes have been established. In addition, the CFP provides for specific flexibility mechanisms that need to be implemented through multiannual plans, or in the absence of multiannual plans, in the so-called discard plans. Those discard plans are envisaged as a temporary measure with a maximum duration of three years. They are developed by means of joint recommendations agreed by groups of Member States with a shared interest in biological resources in the same region or sea basin.

As of 1 January 2017 the landing obligation will be compulsory for demersal species that define the fisheries and that are subject to a minimum conservation reference size as defined in Annex III to Regulation (EC) No 1967/2006 (the "Mediterranean Regulation")². The fisheries targeting hake, red mullet, common sole and deep water rose shrimp in certain areas of the Mediterranean Sea, are subject to this provision.

In accordance with Article 15(5) of Regulation (EU) No 1380/2013, a discard plan may contain the following elements:

- Specific provisions regarding fisheries or species covered by the landing obligation;
- Specification of exemptions to the landing obligation if fisheries or species meet certain criteria related to high survivability;
- Provisions for *de minimis* exemptions as specified in Article 15(5)(c) of Regulation (EU) No 1380/2013;

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([OJ L 354, 28.12.2013, p. 22](#)).

² Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ([OJ L 409, 30.12.2006, p.11](#)).

- Provisions on documentation of catches;
- The fixing of minimum conservation reference sizes (MCRS).

In light of this,

- (1) France, Italy and Spain submitted to the European Commission a proposal of a three-year discard plan for the fisheries targeting hake, red mullet, and the mollusc bivalves scallop, carpet clams and Venus shells in the Western Mediterranean Sea (GFCM Geographical sub-areas 1, 2, 5, 6, 7, 8, 9, 10 and 11);
- (2) Croatia, Italy and Slovenia submitted to the European Commission a proposal of a three-year discard plan for the fisheries targeting hake, red mullet and common sole in the Adriatic Sea (GFCM Geographical Sub-Areas 17 and 18) and;
- (3) Cyprus, Greece, Italy and Malta submitted to the European Commission a proposal of a three-year discard plan for the fisheries targeting hake, red mullet and deep water rose shrimp in the South-Eastern Mediterranean Sea (GFCM Geographical Sub-Areas 15, 16, 19, 20, 22, 23 and 25).

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

- (1) Joint Recommendation Discard Plan for Demersal Fisheries in the Western Mediterranean Sea (GFCM Geographical Sub-Areas 1, 2, 5, 6, 7, 8, 9, 10 and 11).

For the purpose of implementing the landing obligation at regional level in the Western Mediterranean Sea waters, France, Italy and Spain submitted to the European Commission services on 7 July 2016 a Joint Recommendation as the basis of a discard plan.

In accordance with article 18 of Regulation (EU) No 1380/2013, the proposed Commission delegated Act is based on the Joint Recommendation developed and submitted by the Member States who have a direct management interest in the fisheries of hake, red-mullet and the mollusc bivalves scallop, carpet clams and Venus shells in the Western Mediterranean Sea. The Joint Recommendation included the views of the Executive Committee of the Mediterranean Advisory Council (MEDAC) as expressed on 8 June 2016 (ref.190/2016).

The Joint Recommendation contains the following elements:

- The fisheries covered by the discard plan;
- A high survivability exemption for the mollusc bivalves scallop (*Pecten jacobaeus*), carpet clams (*Venerupis spp.*) and Venus shells (*Venus spp.*) caught with mechanised dredges in GSA 1, 2, 5 and 6;
- *De minimis* exemptions to the landing obligation for the fisheries targeting hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), on the basis of disproportionate costs of handling unwanted catches;

- An exemption to the landing obligation for catches of fish that were damaged by predators;
- Commitment to carry out pilot projects on technical measures to improve the selectivity by modifying the fishing gear and/or establishing spatial-temporal closures.

The elements of this Joint Recommendation submitted by France, Italy and Spain on the application of the landing obligation to demersal species which define the fisheries in the Western Mediterranean Sea were evaluated by the Scientific, Technical and Economic Committee for Fisheries (the STECF) during the plenary meeting of 4 – 8 July 2016³.

According to the conclusions of the STECF, the survivability of the mollusc bivalves scallop, carpet clams and Venus shells caught with mechanised dredges is potentially high. Nevertheless, the STECF advised to carry out specific studies directed at estimating discard survival rates of bivalves in the mechanised dredges fishery. In view of the above, under the proposed discard plan, Member States should collect further scientific arguments on these specific exemptions. The provided information will be evaluated by STECF after one year in order to confirm the application of the exemption. Specifically for the survivability exemption for scallop, carpet clams and Venus shells caught with mechanised dredges, the Regulation specifies that the exemption is valid for 2017 only.

As regards the *de minimis* exemption, the STECF concluded that additional information would be suitable to complement the justification of this exemption on the basis of disproportionate costs of handling unwanted catches. The STECF nonetheless noted that, based on preliminary studies, the *de minimis* proposed are lower than the maximum discard rates for hake and red mullet.

On the basis of these elements, the discard plan for demersal species defining the fisheries in the Western Mediterranean Sea waters can be considered as a first step towards the progressive elimination of discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to minimum sizes.

- (2) Joint Recommendation Discard Plan for Demersal Fisheries in the Adriatic Sea (GFCM Geographical Sub-Areas 17 and 18).

For the purpose of implementing the landing obligation at regional level in the Adriatic Sea waters, Croatia, Italy and Slovenia submitted to the European Commission services on 4 July 2016 a Joint Recommendation as the basis of a discard plan.

In accordance with article 18 of Regulation (EU) No 1380/2013, the proposed Commission delegated act is based on the Joint Recommendation developed and submitted by the Member States who have a direct management interest in the fisheries of hake, red-mullet and common sole in the Adriatic Sea waters. The Joint Recommendation has included the views of the

³ Reports of the Scientific, Technical and Economic Committee for Fisheries (STECF) – Evaluation of the landing obligation joint recommendations (STECF-16-10). 2016. Publications Office of the European Union, Luxembourg, EUR XXXX EN, JRC XXXX, XXX pp. Available [here](#).

Executive Committee of the Mediterranean Advisory Council (MEDAC) as expressed on 8 June 2016 (ref.190/2016).

The Joint Recommendation contains the following elements:

- The fisheries covered by the discard plan;
- A high survivability exemption to the landing obligation for the fisheries targeting common sole (*Solea solea*) caught with rapido (beam trawl);
- *De minimis* exemptions to the landing obligation for the fisheries targeting hake (*Merluccius merluccius*), red mullet (*Mullus spp.*) and common sole (*Solea solea*), on the basis of disproportionate costs of handling unwanted catches;
- An exemption for catches of fish that were damaged by predators;
- Commitment to carry out pilot projects on technical measures to improve the selectivity by modifying the fishing gear and/or stablishing spatial-temporal closures.

The elements of this Joint Recommendation submitted by Croatia, Italy and Slovenia on the application of the landing obligation to demersal species which define the fisheries in the Adriatic Sea were evaluated by the Scientific, Technical and Economic Committee for Fisheries (the STECF) during the plenary meeting of 4 – 8 July 2016³.

According to the conclusions of the STECF, there is not enough information to assess whether the survival rates of common sole caught with rapido (beam trawl) can be considered high. The STECF thus advised to carry out specific studies directed at estimating discard survival rates of common sole in the rapido (beam trawl) fishery. In view of the above, under the proposed discard plan, Member States should collect further scientific arguments on these specific exemptions. The provided information will be evaluated by STECF after one year in order to confirm the application of the exemption. Specifically for the survivability exemption for common sole caught with rapido (beam trawl), the Regulation specifies that the exemption would be valid for 2017 only.

As regards the "*de minimis*" exemption, the STECF concluded that additional information would be suitable to complement the justification of this exemption on the basis of disproportionate costs of handling unwanted catches. The STECF nonetheless noted that the *de minimis* proposed are lower than the maximum discard rates for these three species.

On the basis of these elements, the discard plan for demersal species defining the fisheries in the Adriatic Sea waters can be considered as a first step towards the progressive elimination of discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to minimum sizes.

- (3) Joint Recommendation Discard Plan for Demersal Fisheries in the South-Eastern Mediterranean Sea (GFCM Geographical Sub-Areas 15, 16, 19, 20, 22, 23 and 25).

For the purpose of implementing the landing obligation at regional level in the South-Eastern Mediterranean Sea waters, Cyprus, Greece, Italy and Malta submitted to the European Commission services on 4 July 2016 a Joint Recommendation as the basis of a discard plan.

In accordance with article 18 of Regulation (EU) No 1380/2013, the proposed Commission delegated Act is based on the Joint Recommendation developed and submitted by the Member States who have a direct management interest in the fisheries of hake, red-mullet and deep water rose shrimp in the South-Eastern Mediterranean Sea waters. The Joint Recommendation has incorporated the views of the Executive Committee of the Mediterranean Advisory Council (MEDAC) as expressed on 8 June 2016 (ref.190/2016).

The Joint Recommendation contains the following elements:

- The fisheries covered by the discard plan;
- *De minimis* exemptions to the landing obligation for the fisheries targeting hake (*Merluccius merluccius*), red mullet (*Mullus spp.*) and deep water rose shrimp (*Parapenaeus longirostris*), on the basis of disproportionate costs of handling unwanted catches;
- An exemption for catches of fish that were damaged by predators;
- Commitment to carry out pilot projects on technical measures to improve the selectivity by modifying the fishing gear and/or stablishing spatial-temporal closures.

The elements of this Joint Recommendation submitted by Cyprus, Greece, Italy and Malta on the application of the landing obligation to demersal species which define the fisheries in the South-Eastern Mediterranean Sea were evaluated by the Scientific, Technical and Economic Committee for Fisheries (the STECF) during the plenary meeting of 4 – 8 July 2016³.

According to the conclusions of the STECF, additional information would be suitable to complement the justification of the *de minimis* exemption on the basis of disproportionate costs of handling unwanted catches. The STECF nonetheless noted that the *de minimis* proposed are lower than the maximum discard rates for these three species.

On the basis of these elements, the discard plan for demersal species defining the fisheries in the South-Eastern Mediterranean Sea waters can be considered as a first step towards the progressive elimination of discards in all Union

fisheries through the introduction of a landing obligation for catches of species subject to minimum sizes.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Summary of the proposed action

The main legal action is to adopt measures that would facilitate the implementation of the landing obligation.

The Regulation specifies the species and fisheries to which specific measures would apply, such as the exemption *de minimis*.

Legal basis

Articles 15(1)(d) and 15(6) and Articles 18(1) and (3) of Regulation (EU) No 1380/2013 and Article 15a and 29a of Regulation No 1967/2006.

Subsidiarity principle

The proposal falls under the exclusive competence of the European Union.

Proportionality principle

The proposal is within the scope of the delegated powers provided to the Commission by Article 15(6) of Regulation (EU) No 1380/2013 and does not go beyond what is necessary to achieve the purpose of that provision.

Choice of instrument

Proposed instrument: Commission Delegated Regulation.

Other means would not be adequate for the following reason: The Commission has been granted powers to adopt a discard plan by means of delegated acts. The Member State having a direct management interest submitted their Joint Recommendation. Measures provided in the Joint Recommendation and included in this proposal are based on the best available scientific advice and fulfil all the relevant requirements set out in Art 18(5) of Regulation (EU) No 1380/2013.

COMMISSION DELEGATED REGULATION (EU) .../...

of 20.10.2016

establishing a discard plan for certain demersal fisheries in the Mediterranean Sea

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC⁴, and in particular Article 15(6) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of delegated acts for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Greece, Spain, France, Croatia, Italy, Cyprus, Malta and Slovenia have a direct fisheries management interest in the Mediterranean Sea. On 4 and 7 July 2016 those Member States have submitted three joint recommendations to the Commission concerning discard plans for demersal fisheries in the Adriatic Sea, the South-Eastern Mediterranean Sea and the Western Mediterranean Sea, respectively⁵, after consultation of the Mediterranean Sea Advisory Council. Scientific contribution was obtained from relevant scientific bodies. In line with Article 18(3) of Regulation (EU) No 1380/2013, only those measures in the joint recommendations which comply with Article 15(6) of that Regulation should be included in this Regulation.
- (4) As regards the Mediterranean Sea, Article 15 of Regulation (EU) No 1380/2013 establishes a landing obligation for all catches of species which are subject to catch limits and also for catches of species which are subject to minimum sizes as defined in

⁴ OJ L 354, 28.12.2013, p. 22.

⁵ (i) Discard Plan for Demersal Fisheries in the Adriatic Sea (GSAs 17 and 18) - Joint Recommendation by the ADRIATICA High-Level Group (Croatia, Italia and Slovenia), (ii) Discard Plan for Demersal Fisheries in the South-Eastern Mediterranean Sea (GSAs 15, 16, 19, 20, 22, 23 and 25) - Joint Recommendation by the SUDESTMED High-Level Group (Cyprus, Greece, Italy and Malta), and (iii) Discard Plan for Demersal Fisheries in the Western Mediterranean Sea (GSAs 1, 2, 5, 6, 7, 8, 9, 10 and 11) - Joint Recommendation by the PESCAMED High-Level Group (France, Italy and Spain).

Annex III to Council Regulation (EC) No 1967/2006⁶. According to Article 15(1)(d) of Regulation (EU) No 1380/2013, the landing obligation should apply to species which define the fisheries at the latest from 1 January 2017.

- (5) The joint recommendations suggested that an exemption from the landing obligation be applied to common sole (*Solea solea*) in the Adriatic Sea and the mollusc bivalves scallop (*Pecten jacobaeus*), carpet clams (*Venerupis spp.*) and Venus shells (*Venus spp.*) in the Western Mediterranean Sea, as high survival rates can occur, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem.
- (6) The Scientific, Technical and Economic Committee for Fisheries (STECF) concludes in its evaluation⁷ that more studies are needed to corroborate the existing findings related to high survivability of the common sole, scallop, carpet clams and Venus shells. As there are no conclusive evidences on the survival rates of these species, the Commission considers that the survivability exemption allowed under Article 15(4)(b) of Regulation (EU) No 1380/2013 should be included in this Regulation for one year only. The Member States concerned should submit relevant data to the Commission to allow STECF to fully assess the justifications for the exemption and the Commission to review the relevant exemptions.
- (7) Based on the scientific evidences provided in the joint recommendation, the revision by the STECF and taking into account the characteristics of the gears, the high number of species in each fishing operations, the fishing patterns and the particularities of the Mediterranean Sea (e.g. predominance of small scale fisheries), the Commission considers that, in order to avoid disproportionate costs of handling unwanted catches and in accordance with Article 15(5)(c)(ii) of Regulation (EU) No 1380/2013, it is appropriate to establish a *de minimis* exemption in accordance with the percentage level proposed in the joint recommendations, within the limits set out in Article 15(5)(c) of Regulation (EU) No 1380/2013.
- (8) In order to ensure appropriate control, specific requirements for the Member States to establish lists of vessels covered by this Regulation should be laid down.
- (9) Since the measures provided for in this Regulation have a direct impact on the economic activities linked to and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication. In accordance with the joint recommendations and taking into account the time-frame set out in Article 15(1) of Regulation (EU) No 1380/2013, this Regulation should apply from 1 January 2017,

⁶ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ([OJ L 409, 30.12.2006, p. 11](#)).

⁷ Reports of the Scientific, Technical and Economic Committee for Fisheries (STECF) - Evaluation of the landing obligation joint recommendations (STECF-16-10). 2016. Publications Office of the European Union, Luxembourg, EUR XXXX EN, JRC XXXX, XXX pp. Available [here](#).

HAS ADOPTED THIS REGULATION:

Article 1

Implementation of the landing obligation

The landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply in the Mediterranean Sea to the fisheries as set out in the Annex to this Regulation.

That landing obligation shall apply to the species referred to in that Annex when caught during fishing activities in Union waters or by Union fishing vessels outside the Union waters in waters not subject to third countries' sovereignty or jurisdiction.

Article 2

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:

- (a) 'Mediterranean Sea' means maritime waters of the Mediterranean to the east of line 5°36' West;
- (b) 'GFCM Geographical Sub-Areas' (GSAs) means General Fisheries Commission for the Mediterranean (GFCM) Geographical Sub-Areas as defined in the Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council⁸;
- (c) 'Western Mediterranean Sea' means GFCM Geographical Sub-Areas 1, 2, 5, 6, 7, 8, 9, 10 and 11;
- (d) 'Adriatic Sea' means GFCM Geographical Sub-Areas 17 and 18;
- (e) 'South-Eastern Mediterranean Sea' means GFCM Geographical Sub-Areas 15, 16, 19, 20, 22, 23 and 25.

Article 3

Survivability exemption

1. The exemption from the landing obligation pursuant to Article 15(4)(b) of Regulation (EU) No 1380/2013 for species for which scientific evidence demonstrates high survival rates shall apply in 2017 to:

- (a) common sole (*Solea solea*) caught with rapido (beam trawl), (TBB)⁹ in GSAs 17 and 18;

⁸ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

- (b) scallop (*Pecten jacobaeus*) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6;
- (c) carpet clams (*Venerupis spp.*) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6;
- (d) Venus shells (*Venus spp.*) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6.
2. Common sole (*Solea solea*), scallop (*Pecten jacobaeus*), carpet clams (*Venerupis spp.*) and Venus shells (*Venus spp.*) caught in the circumstances referred to in paragraph 1 shall be released immediately in the area where they have been caught.
3. By 1 May 2017, Member States having a direct management interest in the fisheries in the Mediterranean Sea shall submit to the Commission additional discard data to those provided for in the Joint Recommendations of 4 and 7 July 2016 and any other relevant scientific information supporting the exemption laid down in paragraph 1. The Scientific, Technical and Economic Committee for Fisheries (STECF) shall assess those data and that information by July 2017 at the latest.

Article 4 ***De minimis exemption***

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities of species which define the fisheries as set out in the Annex to this Regulation may be discarded pursuant to Article 15(4)(c) of Regulation (EU) No 1380/2013:

- (a) in the western Mediterranean Sea (point 1 of the Annex):
- (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to a maximum of 7% for 2017 and 2018 and up to a maximum of 6% in 2019 of the total annual catches of these species by vessels using trawl nets; and
 - (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to a maximum of 1% of the total annual catches of these species by vessels using gillnets;
- (b) in the Adriatic Sea (point 2 of the Annex):
- (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to 7% for 2017 and 2018 and up to 6% for 2019 of the total annual catches of these species by vessels using trawl nets;

⁹ Gear codes used in this Regulation refer to those codes in Annex XI to Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common fisheries policy. For the vessels whose LOA is less than 10 metres gear codes used in this table refer to the codes from the FAO gear classification.

- (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to 1% of the total annual catches of these species by vessels using gillnets;
 - (iii) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to 1% of the total annual catches of these species by vessels using rapido (beam trawl);
 - (iv) for common sole (*Solea solea*), up to 3% for 2017 and 2018 and up to 2% for 2019 of the total annual catches of this species by vessels using trawl nets; and
 - (v) for common sole (*Solea solea*), 0% of the total annual catches of this species by vessels using gillnets;
- (c) in the South-Eastern Mediterranean Sea (point 3 of the Annex):
- (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to 7% for 2017 and 2018 and up to 6% for 2019 of the total annual catches of these species by vessels using trawl nets;
 - (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus spp.*), up to 1% of the total annual catches of these species by vessels using gillnets; and
 - (iii) for deep-water rose shrimp (*Parapenaeus longirostris*), up to 7% for 2017 and 2018 and up to 6% for 2019 of the total annual catches of this species by vessels using trawl nets.

Article 5

List of vessels

1. The Member States concerned shall determine, in accordance with the criteria laid down in the Annex, the vessels subject to the landing obligation for each particular fishery.
2. By 31 December 2016, the Member States concerned shall submit to the Commission and to the other Member States, using the secure Union control website, the lists of all vessels targeting hake, red mullet, common sole and deep-water rose shrimp. They shall keep those lists updated.

Article 6

Entry into force and application

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

It shall apply from 1 January 2017 to 31 December 2019.

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

Done at Brussels, 20.10.2016

For the Commission
The President
Jean-Claude JUNCKER