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From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council on establishing a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks and repealing Council Regulation (EC) 676/2007 and Council Regulation (EC) 1342/2008 – Outcome of the European Parliament's proceedings (Strasbourg, 11 to 14 September 2017)

I. INTRODUCTION

The Rapporteur, Ms Ulrike RODUST (S&D, DE), presented a report consisting of 78 amendments (amendments 1-78) to the proposal for a Regulation, on behalf of the Committee on Fisheries.

Furthermore, some political groups tabled additional amendments: EPP (amendments 86-88, 89, 90, 91, 92D, 93, 94, 95, 96), EUL/NGL (amendments 98, 99, 100, 101), ALDE (amendments 80-85), Greens (amendment 97) and ECR (amendment 79).

II. DEBATE

The debate, which took place on 13 September 2017, reflected the conflicting views of MEPs on whether to include recreational fisheries in the Plan, on which demersal stocks should be covered, and on whether and to what extent fishing limits should be tightened. The ongoing UK withdrawal process was an issue in the debate, the UK being one of the coastal countries of the region.

Mr VELLA, Commissioner for Maritime Affairs and Fisheries, stressed the importance of ensuring that multi-annual plans for key mixed fisheries are in place before the landing obligation comes fully into force in 2019. He called for trilogues to start as soon as possible.

The Rapporteur, Ms Ulrike RODUST (S&D, DE), pointed out that the amendments tabled for the Plenary vote reflected the dividing lines in MEPs' views. She supported the idea that the Plan should cover all demersal stocks, measures on leisure fishing should be proportionate to the result of impact assessments, and the precautionary principle contained in the CFP should apply.

On behalf of the EPP group, the Shadow Rapporteur, Mr Jens GIESEKE (EPP, DE) strongly opposed the idea that leisure fishing had an impact on stocks and deemed disproportionate to include it in the Plan.

On behalf of the S&D, Mr Ricardo SERRÃO SANTOS (S&D, PT) stressed that the Plan should include clear fishing limits which don't go beyond MSY and underlined that overfishing should come to an end, as foreseen by the CFP. He added that Brexit makes the adoption of the Plan urgent, as fishermen operating in the North Sea will need a stable functional legal framework, as a foundation for the upcoming Brexit negotiations.

On behalf of the ALDE, the Shadow Rapporteur, Mr Nils TORVALDS (ALDE, FI) welcomed the proposal and the regionalisation approach, but considered that the Commission should step in when regions don't get to an agreement. Furthermore, he called upon the adoption of AMD 80 on setting MSY as the ceiling for fishing limits.

On behalf of the ECR, the Shadow Rapporteur, Mr Peter VAN DALEN (ECR, NL) stated that many provisions are already in force in the North Sea, and that fish stocks are increasing. He denounced as impracticable and irresponsible the enforcement of tighter fishing limits.

On behalf of the EUL/NGL group, the Shadow Rapporteur, Ms Anja HAZEKAMP (EUL/NGL, NL) stressed the need not to allow quotas above the MSY and to take protective measures that apply to all species, in order to stop overfishing.

On behalf of the Greens/EFA group, the Shadow Rapporteur, Ms Linnéa ENGSTRÖM (Greens/EFA, SE) argued that recreational fishing had an impact on stocks and should therefore be included in the Plan.

Mr Gabriel MATO (EPP, ES) voiced the frustration of fishermen, and criticized the fact that the ranges within which the total allowable catches are to be set have been proposed without any scientific basis. He emphasised the need to take into account the socio-economic impact, as foreseen by the CFP.

III. VOTE

When it voted on 14 September 2017, the Parliament adopted the following amendments, the text of which is annexed to this note: amendments 20, 24, 26 (1st part), 27, 35, 37, 52, 53, 60 (first and second parts), 83D, 84, 66, 97, 85, 13.

At the end of the vote, the proposal was referred back to the Committee, pursuant to Rule 59(4)(4) of the European Parliament's Rules of Procedure, thereby not bringing the Parliament's first reading to a close and opening the negotiations with the Council.

Multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks ***I

Amendments adopted by the European Parliament on 14 September 2017 on the proposal for a regulation of the European Parliament and of the Council on establishing a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks and repealing Council Regulation (EC) 676/2007 and Council Regulation (EC) 1342/2008 (COM(2016)0493 – C8-0336/2016 – 2016/0238(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) The objectives of the CFP are, amongst others, to ensure that fishing and aquaculture are environmentally sustainable in the long-term, to apply the precautionary approach to fisheries management, and to implement the ecosystem-based approach to fisheries management.

Amendment

(4) The objectives of the CFP are, amongst others, to ensure that fishing and aquaculture are environmentally sustainable in the long-term, to apply the precautionary approach to fisheries management ***to ensure that stocks of harvested species are restored and maintained at levels above those that can produce MSY***, and to implement the ecosystem-based approach to fisheries management.

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A8-0263/2017).

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Regarding the exploitation of living marine biological resources, Regulation (EU) No 1380/2013 includes as an explicit goal the restoration and maintenance of populations of harvested species above levels capable of producing MSY. Therefore, in accordance with Article 2(2) thereof, the corresponding exploitation rate is to be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks, and should be maintained thereafter.

Amendment 4

Proposal for a regulation Recital 5

Text proposed by the Commission

Amendment

(5) For the achievement of the objectives of the CFP, a number of conservation measures are to be adopted as appropriate in any combination thereof, such as multi-annual plans, technical measures, fixing and allocation of fishing opportunities.

(5) For the achievement of the objectives of the CFP, a number of conservation measures are to be adopted as appropriate in any combination thereof, such as multi-annual plans, technical measures, fixing and allocation of fishing opportunities ***in full accordance with the best available scientific advice.***

Amendment 5

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) Pursuant to Articles 9 and 10 of Regulation (EU) No 1380/2013, multi-annual plans are to be based on scientific, technical and economic advice and contain objectives, quantifiable targets with clear timeframes, conservation reference points and safeguards.

Amendment

(6) Pursuant to Articles 9 and 10 of Regulation (EU) No 1380/2013, multi-annual plans are to be based on scientific, technical and economic advice and contain objectives, quantifiable targets with clear timeframes, conservation reference points, ***objectives*** and safeguards, ***goals for stock conservation and technical measures to be taken to achieve the targets for the maximum possible avoidance of and reduction of unwanted catches as set out in Article 15 thereof.***

Amendment 6

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In addition, the Commission may be empowered to establish fish stock recovery areas in a multi-annual plan pursuant to Article 8(3) of Regulation (EU) No 1380/2013.

Amendment 7

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Some stocks of common interest are also exploited by third countries, which

makes it very important that the Union should consult those third countries in order to ensure that the stocks concerned are managed sustainably. In the absence of a formal agreement, the Union should do everything in its power to agree common arrangements for the fishing of those stocks in order to facilitate sustainable management, in which connection equal terms for the Union's market operators should be secured, enforced and promoted.

Amendment 8

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The objective of this plan should be to contribute to the achievement of the objectives of the CFP, and especially ***reaching*** and maintaining ***MSY for the stocks concerned***, contributing to the implementation of the landing obligation for demersal stocks subject to catch limits and contributing to the implementation of the ecosystem-based approach to fisheries management.

Amendment

(10) The objective of this plan should be to contribute to the achievement of the objectives of the CFP, and especially ***restoring*** and maintaining ***fish stocks above levels of biomass capable of producing MSY*** contributing to the implementation of the landing obligation for demersal stocks subject to catch limits ***as well as implementation and achievement of the socio-economic aspects of the CFP*** and contributing to the implementation of the ecosystem-based approach to fisheries management ***by minimising the negative effects of fishing on the marine ecosystem.***

Amendment 9

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) This plan should also contribute to the achievement of good environmental status, as laid down in Directive 2008/56/EC, and to the achievement of favourable conservation status for habitats and species as required by Directive 2009/147/EC of the European Parliament and of the Council^{1a} and Council Directive 92/43/EC^{1b} respectively.

^{1a} *Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).*

^{1b} *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).*

Amendment 10

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Article 16(4) of Regulation (EU) No 1380/2013 requires that fishing opportunities be fixed in accordance with the *targets* set out in the multi-annual plans.

Amendment

(11) Article 16(4) of Regulation (EU) No 1380/2013 requires that fishing opportunities be fixed in accordance with the *objectives* set out in *Article 2(2) of Regulation (EU) No 1380/2013 and comply with the targets, time-frames and margins established in* the multi-annual plans.

Amendment 11

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In accordance with Article 33(1) of Regulation (EU) No 1380/2013, stocks managed jointly with third countries are to be managed wherever possible with joint agreements in line with the objectives laid down in Article 2(2) thereof. In addition, the goals set out in Articles 1 and 2 of Regulation (EU) No 1380/2013 as well as the definitions set out in Article 4 thereof should apply to such agreements.

Amendment 12

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) Where the targets relating to **MSY** are not available, the **precautionary approach should apply**.

(14) Where the targets relating to **the maximum sustainable yield** are not available, the **multi-annual plan should establish measures on the basis of the precautionary approach to fisheries management as defined in point 8 of Article 4(1) of Regulation (EU) No 1380/2013. Those measures must guarantee a degree of conservation of the relevant stocks that is at least comparable to exploitation rates in accordance with the maximum sustainable yield, as set out in Article 9(2) of Regulation (EU) No 1380/2013.**

Amendment 13

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Recreational fisheries can have a significant impact on fish resources. Member States are to collect catch data of recreational fisheries, in accordance with legal requirements on data collection. Where such fisheries have a significant negative impact on resources, the plan should provide for the possibility to decide on specific management measures in line with the principle of proportionality. Any management and technical measures concerning recreational fisheries at Union level should be proportionate to the objectives aimed for.

Amendment 14

Proposal for a regulation Recital 16

Text proposed by the Commission

Amendment

(16) For Norway lobster functional units for which they are available, it is appropriate to use ***the following trigger abundance levels***: minimum abundance (Abundancebuffer) ***that corresponds to the Bbuffer reference point defined in the Long Term Management Plan for North Sea Nephrops by the North Sea Advisory Council⁴² and the limit abundance (Abundancelimit) that corresponds to abundance MSY Btrigger (equivalent to Blim) as defined by ICES⁷.***

(16) For Norway lobster functional units for which they are available, it is appropriate to use ***ICES-advised*** minimum abundance (Abundancebuffer) ***and*** limit abundance (Abundancelimit) ***as trigger abundance levels.***

⁴² ***A Long Term Management Plan for North Sea Nephrops***

Amendment 15

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Appropriate safeguard measures should be envisaged in case the stock size falls below these levels. Safeguard measures should include the reduction of fishing opportunities and specific conservation measures when scientific advice states that remedial measures are needed. These measures should be supplemented by all other measures, as appropriate, such as Commission measures in accordance with Article 12 of Regulation (EU) No 1380/2013 or Member State measures in accordance with Article 13 of Regulation (EU) No 1380/2013.

Amendment

(17) Appropriate safeguard measures should be envisaged in case the stock size falls below these levels. Safeguard measures should include the reduction of fishing opportunities and specific conservation measures when ***the best available*** scientific advice states that remedial measures are needed. These measures should be supplemented by all other measures, as appropriate, such as Commission measures in accordance with Article 12 of Regulation (EU) No 1380/2013 or Member State measures in accordance with Article 13 of Regulation (EU) No 1380/2013.

Amendment 16

Proposal for a regulation Recital 19

Text proposed by the Commission

(19) It is appropriate to ***set the TAC for Norway lobster in ICES zones IIa and IV as the sum of the catch limits established for each functional unit and of the statistical rectangles outside the functional units within that TAC area. However, this does not preclude the adoption of measures to protect specific functional units.***

Amendment

(19) It is appropriate to ***define a separate TAC for Norway lobster for each functional unit wherever possible. Separate measures to protect the respective functional units may be taken.***

Amendment 17

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) In order to comply with the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for **additional management measures**.

Amendment

(20) In order to comply with the landing obligation established by Article 15(1) of Regulation (EU) No 1380/2013, the plan should provide for **other conservation measures, in particular measures to gradually eliminate discards, taking into account the best available scientific advice, or to minimise the negative impact of fishing on the ecosystem, to be further specified, where appropriate, in accordance with Article 18 of Regulation (EU) No 1380/2013**.

Amendment 18

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) Thresholds should be established for the demersal stocks that a fishing vessel is required to land in a designated port or a place close to the shore, in accordance with Article 43 of Regulation (EC) No 1224/2009. Moreover, when designating these ports or places close to the shore, Member States should apply the criteria provided in Article 43(5) of that Regulation in such a way as to ensure effective control of the **stocks** covered by this Regulation.

Amendment

(25) Thresholds should be established for the demersal stocks that a fishing vessel is required to land in a designated port or a place close to the shore, in accordance with Article 43 of Regulation (EC) No 1224/2009. Moreover, when designating those ports or places close to the shore, Member States should apply the criteria provided for in Article 43(5) of that Regulation in such a way as to ensure effective control of the **landing of catches** covered by this Regulation.

Amendment 19

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) In accordance with Article 10(3) of Regulation (EU) No 1380/2013 provisions should be established for the periodical assessment by the Commission of the adequacy and effectiveness of the application of this Regulation. Such assessment should follow and be based on periodic evaluation of the plan based on scientific advice: the plan should be evaluated every five years. This period allows for the full implementation of the landing obligation, and for regionalised measures to be adopted, implemented and to show effects on the stocks and fishery. It is also the minimum required period by scientific bodies.

Amendment

(26) In accordance with Article 10(3) of Regulation (EU) No 1380/2013 provisions should be established for the periodical assessment by the Commission of the adequacy and effectiveness of the application of this Regulation. Such assessment should follow and be based on periodic evaluation of the plan based on ***the best available*** scientific advice: the plan should be evaluated ***by ... [three years after the date of entry into force of this Regulation], and*** every five years ***thereafter***. This period allows for the full implementation of the landing obligation, and for regionalised measures to be adopted, implemented and to show effects on the stocks and fishery. It is also the minimum required period by scientific bodies.

Amendment 20

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes a multi-annual plan ("plan") for the demersal stocks in waters of Union waters of ICES zones IIa, IIIa and IV ("North Sea") and the fisheries exploiting those stocks.

Amendment

1. This Regulation establishes a multi-annual plan ("plan") for the demersal stocks in waters of Union waters of ICES zones IIa, IIIa and IV ("North Sea" ***refers to those three zones***) and the fisheries, ***including recreational fisheries,*** exploiting those stocks.

Amendment 22

Proposal for a regulation Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *Where, on the basis of scientific advice or of a request from the Member States concerned, the Commission considers that the list referred to in Article 2 needs to be adjusted, the Commission may submit a proposal for the amendment of that list.*

Amendment 23

Proposal for a regulation Article 1 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. *This Regulation also sets out details for the implementation of the landing obligation for all species provided for in Article 15(1) of Regulation (EU) No 1380/2013, other than the stocks already referred to in paragraph 1 of this Article.*

Amendment 24

Proposal for a regulation Article 2 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

(1) "demersal stocks" means those roundfish **and** flatfish species **and** Norway lobster that live at or near the bottom of the water column.

(1) "demersal stocks" means: those roundfish, flatfish **and cartilaginous fish** species, Norway lobster (*Nephrops Norvegicus*) **and Northern prawn** (*Pandalus borealis*) that live at or near the

bottom of the water column.

Amendment 25

Proposal for a regulation

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) “Best available scientific advice” means scientific advice which has been reviewed by ICES or STECF and is supported by the most up-to-date data available and which meets all the requirements set out in Regulation (EU) No 1380/2013, in particular Article 25 thereof.

Amendment 26

Proposal for a regulation

Article 2 – paragraph 1 – point 1 b (new)

Text proposed by the Commission

Amendment

(1b) “ F_{MSY} range” means a range calculated by ICES delivering no more than a 5 % reduction in long-term yield compared to the maximum sustainable yield. The ICES advice rule indicates that, when spawning stock biomass is below the minimum spawning stock biomass reference point ($MSY B_{trigger}$), F is to be reduced to a value which does not exceed an upper limit equal to the F_{MSY} point value multiplied by the spawning stock biomass in the TAC year divided by $MSY B_{trigger}$.

Amendment 27

Proposal for a regulation

Article 2 – paragraph 1 – point 1 c (new)

Text proposed by the Commission

Amendment

(1c) “ $MSY F_{lower}$ ” and “ $MSY F_{upper}$ ” mean the lowest and highest value within the F_{MSY} range.

Amendment 28

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) "Group 1": means demersal stocks for which targets as FMSY ranges and safeguards linked to biomass are established in this plan as follows:

(a) Cod (*Gadus morhua*) in Subarea IV and Divisions VIIId and IIIa West (***North Sea, Eastern Channel***, Skagerrak), hereafter referred to as ***North Sea*** cod;

(b) Haddock (*Melanogrammus aeglefinus*) in Subarea IV and Divisions VIa and IIIa west (***North Sea, West of Scotland***, Skagerrak) hereafter referred to as haddock;

(c) Plaice (*Pleuronectes platessa*) in Subarea IV (North Sea) and Division IIIa (Skagerrak), hereafter referred to as ***North Sea*** plaice;

(d) Saithe (*Pollachius virens*) in Subareas IV and VI and Division IIIa (***North Sea, Rockall and West of Scotland***, Skagerrak and Kattegat), hereafter referred

(2) “Group 1” means demersal stocks for which targets as FMSY ranges and safeguards linked to biomass are established in this plan, ***as listed in Annexes I and II***, as follows.

(a) Cod (*Gadus morhua*) in Subarea IV (***North Sea***) and Divisions VIIId (***Eastern Channel***) and IIIa West (Skagerrak), hereafter referred to as cod ***in Subarea IV and Divisions VIIId and IIIa West***;

(b) Haddock (*Melanogrammus aeglefinus*) in Subarea IV (***North Sea***) and Divisions VIa (***West of Scotland***) and IIIa west (Skagerrak) hereafter referred to as haddock ***in Subarea IV and Divisions VIa and IIIa West***;

(c) Plaice (*Pleuronectes platessa*) in Subarea IV (North Sea) and Division IIIa (Skagerrak), hereafter referred to as plaice ***in Subarea IV and Division IIIa***;

(d) Saithe (*Pollachius virens*) in Subareas IV (***North Sea***) and VI (***West of Scotland and Rockall***) and in Division IIIa (Skagerrak and Kattegat), hereafter

to as saithe;

(e) Sole (*Solea solea*) in Subarea IV (North Sea), hereafter referred to as **North Sea** sole;

(f) Sole (*Solea solea*) in Division IIIa and Subdivisions 22–24 (**Skagerrak and Kattegat**, Western Baltic Sea), hereafter referred to as **Kattegat** sole;

(g) Whiting (*Merlangius merlangus*) in Subarea IV and Division VIIId (**North Sea and** Eastern English Channel), hereafter referred to as **North Sea** whiting.

referred to as saithe **in Subareas IV and VI and Division IIIa**;

(e) Sole (*Solea solea*) in Subarea IV (North Sea), hereafter referred to as sole **in Subarea IV**;

(f) Sole (*Solea solea*) in Division IIIa (**Skagerrak and Kattegat**) and Subdivisions 22–24 (Western Baltic Sea), hereafter referred to as sole **in Division IIIa and Subdivisions 22-24**;

(g) Whiting (*Merlangius merlangus*) in Subarea IV (**North Sea**) and Division VIIId (Eastern English Channel), hereafter referred to as whiting **in Subarea IV and Division VIIId**;

(ga) Anglerfish (*Lophius piscatorius*) in **Division IIIa (Skagerrak and Kattegat) and Subareas IV (North Sea) and VI (West of Scotland and Rockall)**;

(gb) **Northern Prawn (*Pandalus borealis*) in Divisions IVa East and IIIa.**

The Commission is empowered to adopt delegated acts in accordance with Article 18 of this Regulation and Article 18 of Regulation (EU) No 1380/2013 in order to amend the list of stocks in Group 1, as set out in the first paragraph of this point and in Annexes I and II to this Regulation, in accordance with the best available scientific advice.

Amendment 29

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – introductory part

Text proposed by the Commission

(3) “Group 2” means Norway lobster (*Nephrops norvegicus*) functional units (FU) for which targets as FMSY ranges and safeguards linked to abundance are

Amendment

(3) “Group 2” means Norway lobster (*Nephrops norvegicus*) functional units (FU) for which targets as FMSY ranges and safeguards linked to abundance are established in this plan, **as set out in**

established in this plan consisting of:

Annexes I and II, consisting of:

Amendment 32

Proposal for a regulation

Article 2 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8a) The stocks concerned shall only be amended on the basis of the best available scientific advice.

Amendment 33

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

Amendment

10. “MSY Btrigger” means the spawning stock biomass reference point below which specific and appropriate management action is to be taken to ensure that exploitation rates in combination with natural variations rebuild stocks above levels capable of producing *MSY* in the long term.

10. “MSY Btrigger” means the spawning stock biomass reference point below which specific and appropriate management action is to be taken to ensure that exploitation rates in combination with natural variations rebuild stocks above levels capable of producing *maximum sustainable yield* in the long term.

Amendment 34

Proposal for a regulation

Article 2 – paragraph 1 – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) “Recreational fisheries” means

Amendment 35

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. The plan shall contribute to the achievement of the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.

Amendment

1. The plan shall contribute to the achievement of the objectives of the common fisheries policy listed in Article 2 of Regulation (EU) No 1380/2013, in particular by applying the precautionary approach to fisheries management ***as defined in point 8 of Article 4(1) of Regulation (EU) No 1380/2013, as well as contribute to a fair standard of living for those who depend on fishing activities, bearing in mind socio-economic aspects,*** and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield. ***The level of fishing which allows the maximum sustainable yield is to be achieved, as quickly as possible and, on a gradual, incremental basis by 2020 at the latest for all stocks covered by this Regulation under all circumstances, and it is to be maintained from that point in time. For stocks where no scientific advice and data exist, the targets set out in Article 9(2) of Regulation (EU) No 1380/2013 are to be met. Those targets ensure that the relevant stocks will be preserved at a level which is at least comparable with the targets for the highest sustainable yield.***

Amendment 37

Proposal for a regulation Article 3 – paragraph 3

Text proposed by the Commission

3. The plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. **It** shall be **coherent** with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC.

Amendment

3. The plan shall implement the ecosystem-based approach to fisheries management in order to ensure that negative impacts of fishing activities on the marine ecosystem, **particularly threatened habitats and protected species including marine mammals and seabirds**, are minimised. **The plan shall complement and be consistent with the ecosystem-based approach to fisheries management as defined in point 9 of Article 4(1) of Regulation (EU) No 1380/2013, with Union environmental legislation, in particular with the objective of achieving good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, and with the targets and rules laid down in Directives 2009/147/EC and 92/43/EEC. Furthermore, the plan shall provide for measures designed to mitigate adverse socio-economic impacts and enable operators to acquire more economic visibility in the long term.**

Amendment 38

Proposal for a regulation Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The plan shall contribute to ensuring that stocks managed jointly with third countries pursuant to Article 33(1) of Regulation (EU) No 1380/2013 are managed in line with the objectives set out in Article 2(2) of Regulation (EU) No 1380/2013, and that the total fishing

opportunities do not exceed the ranges set out in Annex I to this Regulation.

Amendment 39

Proposal for a regulation Article 3 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The plan shall take account of the Union's bilateral relations with third countries. Future bilateral agreements with third countries shall take account of the plan.

Amendment 40

Proposal for a regulation Article 3 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) ***contribute to*** the fulfilment of other relevant descriptors contained in Annex I to Directive 2008/56/EC in proportion to the role played by fisheries in their fulfilment.

(b) the fulfilment of other relevant descriptors contained in Annex I to Directive 2008/56/EC in proportion to the role played by fisheries in their fulfilment.

Amendment 41

Proposal for a regulation Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. All measures in the plan shall be taken on the basis of the best available scientific advice in accordance with point

1a of Article 2 of this Regulation. The best available scientific advice shall be reviewed by ICES or STECF by the time at which those measures are proposed by the Commission in accordance with Articles 4, 5, 6 and 18 of this Regulation, and with Article 16 of Regulation (EU) No 1380/2013.

Amendment 42

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. The target fishing mortality shall be achieved as soon as possible, and on a progressive, incremental basis by 2020 for the stocks of Groups 1 and 2, and shall be maintained thereafter within the ranges set out in Annex I.

Amendment

1. The target fishing mortality shall be achieved as soon as possible, and on a progressive, incremental basis by 2020 for the stocks of Groups 1 and 2, and shall be maintained thereafter within the ranges set out in Annex I **and shall comply with the goals set out in Article 3(1).**

Amendment 43

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. In accordance with Article 16(4) of Regulation (EU) No 1380/2013, fishing opportunities shall comply with the target fishing mortality ranges set out in Annex I, column A to this Regulation.

Amendment

2. In accordance with Article 16(4) **and Article 17** of Regulation (EU) No 1380/2013, fishing opportunities shall **be established in line with the objectives and targets set out in the plan and with the best available scientific advice and shall** comply with the target fishing mortality ranges set out in Annex I, column A to this Regulation.

Amendment 44

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

3. Notwithstanding paragraphs 1 and 2, fishing opportunities may be fixed at levels corresponding to lower levels of fishing mortality than those set out in Annex I, **column A**.

Amendment

3. Notwithstanding paragraphs 1 and 2, fishing opportunities may be fixed at levels corresponding to lower levels of fishing mortality than those set out in Annex I.

Amendments 83 and 99

Proposal for a regulation Article 4 – paragraph 4

Text proposed by the Commission

4. **Notwithstanding paragraphs 2 and 3, fishing opportunities for a stock may be fixed in accordance with the fishing mortality ranges set out in Annex I, column B, provided that the stock concerned is above the minimum spawning biomass reference point set out in Annex II, column A:**

(a) if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries;

(b) if, on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or

(c) in order to limit variations in fishing opportunities between consecutive years to not more than 20%.

Amendment

deleted

Amendment 48

Proposal for a regulation Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. *Fishing opportunities shall in any event be fixed in such a way as to ensure that there is less than a 5 % probability of the spawning stock biomass falling below the limit spawning stock biomass reference point (B_{lim}) set out in particular in Annex II, column B.*

Amendment 49

Proposal for a regulation Article 4 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. *Where, on the basis of the best available scientific advice, the Commission considers that the fishing mortality ranges set out in Annex I no longer correctly express the objectives of the plan, the Commission may as a matter of urgency submit a proposal for amendment of those ranges.*

Amendment 50

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Fishing opportunities for the stocks of Groups 3 and 4 shall be consistent with scientific advice related to maximum sustainable yield.

1. Fishing opportunities for the stocks of Groups 3 and 4 shall be consistent with ***the best available*** scientific advice related to maximum sustainable yield.

Amendment 51

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. In the absence of scientific advice on fishing mortality rate consistent with maximum sustainable yield, fishing opportunities ***shall be consistent with scientific advice to ensure the sustainability of the stocks in line with*** the precautionary approach.

Amendment

2. In the absence of scientific advice ***and data on the*** fishing mortality rate consistent with maximum sustainable yield, fishing opportunities ***and measures shall be decided on in line with*** the precautionary approach ***to fisheries management as defined in point 8 of Article 4(1) of Regulation (EU) No 1380/2013, and in keeping with the targets set out in Article 3(1) of this Regulation.***

Amendment 52

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

Stocks of Group 5 shall be managed based on the precautionary approach ***in line*** with scientific advice.

Amendment

Stocks of Group 5 shall be managed based on the precautionary approach ***to fisheries management as defined in point 8 of Article 4(1) of Regulation (EU) No 1380/2013 and*** in accordance with ***the best available*** scientific advice ***and with the targets set out in Article 3(1) and Article 3(3) of this Regulation. The absence of adequate scientific information shall not justify postponing or failing to take management measures to conserve marine biological resources.***

Amendment 53

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. When scientific advice indicates that for a given year the spawning biomass of any of the stocks in Group 1 is below the MSY Btrigger or that the abundance of any of the functional units in Group 2 is below the Abundancebuffer set out in Annex II, column A, all appropriate remedial measures shall be adopted to ensure rapid return of the stock or functional unit concerned to levels above those capable of producing maximum sustainable yield. In particular, by way of derogation from Article 4(2) fishing opportunities shall be set at levels consistent with a fishing mortality, taking into account the decrease in biomass or abundance, that is reduced below the range laid down in Annex I, column A.

Amendment

1. When ***the best available*** scientific advice indicates that for a given year the spawning biomass of any of the stocks in Group 1 is below the MSY Btrigger or that the abundance of any of the functional units in Group 2 is below the Abundancebuffer set out in Annex II, column A, all appropriate remedial measures shall be adopted to ensure rapid return of the stock or functional unit concerned to levels above those capable of producing maximum sustainable yield. In particular, by way of derogation from Article 4(2) fishing opportunities shall be set at levels consistent with a fishing mortality, taking into account the decrease in biomass or abundance, that is reduced below the range laid down in Annex I, column A ***in proportion to the decrease in biomass, following the ICES advice rule. The ICES advice rule referred to in point 1b of Article 2 shall apply.***

Amendment 54

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. When scientific advice indicates that the spawning stock biomass of any of the stocks concerned is below the Blim or the abundance of any of the Norway lobster functional units is below Abundancelimit as set out in Annex II, column B to this Regulation, further remedial measures shall

Amendment

2. When ***the best available*** scientific advice indicates that the spawning stock biomass of any of the stocks concerned is below the Blim or the abundance of any of the Norway lobster functional units is below Abundancelimit as set out in Annex II, column B to this Regulation, further

be taken to ensure rapid return of the stock or functional unit concerned to levels above the level capable of producing maximum sustainable yield. In particular, those remedial measures shall include, by way of derogation from paragraphs 2 and 4 of Article 4, suspending the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities.

remedial measures shall be taken to ensure rapid return of the stock or functional unit concerned to levels above the level capable of producing maximum sustainable yield. In particular, those remedial measures shall include, by way of derogation from paragraphs 2 and 4 of Article 4, suspending the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities.

Amendment 55

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When the best available scientific advice indicates that for a given year the spawning stock biomass of any of the stocks to which this Regulation applies is below $MSY B_{triggers}$, all appropriate remedial measures shall be adopted to ensure rapid return of the stock to levels above those capable of producing maximum sustainable yield, and fishing mortality shall be reduced on a linear basis in proportion to the decrease in biomass in accordance with the ICES advice rule. The ICES advice rule referred to in point 1b of Article 2(1) shall apply.

Amendment 56

Proposal for a regulation

Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. When the best available scientific advice indicates that the spawning stock

biomass of any of the stocks to which this Regulation applies is below B_{lim} or another relevant limit, additional remedial measures shall be adopted to ensure rapid return of the stock to levels above those capable of producing maximum sustainable yield. In particular, the remedial measures may involve a suitable reduction of fishing opportunities or suspension of the targeted fishery of the stock.

Amendment 57

Proposal for a regulation Article 8 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. Remedial measures referred to in this Article may include:

(a) emergency measures in accordance with Articles 12 and 13 of Regulation (EU) No 1380/2013;

(b) measures pursuant to Articles 11 and 11a of this Regulation.

The choice of measures referred to in this Article shall be made in accordance with the nature, seriousness, duration and repetition of the situation where the spawning stock biomass is below the levels referred to in paragraph 1.

Amendment 58

Proposal for a regulation Article 9 – title

Text proposed by the Commission

Amendment

Specific conservation measures *for Groups 3 to 7*

Specific conservation measures

Amendment 84

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

When scientific advice indicates that **remedial** action is required **for the conservation of** any of the **demersal stocks of Groups 3 to 7, or when the spawning biomass of any of the stocks in Group 1 or abundance of any of the functional units in Group 2 for a given year is below the conservation reference points set out in Annex II, column A to this Regulation**, the Commission is **empowered to** adopt delegated acts in **accordance with Article 18 of this Regulation and Article 18 of Regulation (EU) No 1380/2013** regarding:

Amendment

When scientific advice indicates that **additional** action is required **to ensure that** any of the **fisheries to which this Regulation applies is managed in accordance with Article 3 of this Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 18 of this Regulation and Article 18 of Regulation (EU) No 1380/2013. Notwithstanding Article 18(1) and (3) the Commission may** adopt delegated acts in **the absence of a joint recommendation referred to in those paragraphs. These delegated acts shall include measures** regarding:

Amendment 60

Proposal for a regulation

Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) characteristics of fishing gear, in particular mesh size, hook size, construction of the gear, twine thickness, size of the gear or use of selectivity devices to ensure or improve selectivity;

Amendment

(a) **defining the** characteristics **and specifications** of fishing gear, in particular mesh size, hook size, construction of the gear, twine thickness, size of the gear or use of selectivity devices to ensure or improve selectivity, **particularly with a view to reducing unwanted by-catches;**

Amendment 61

**Proposal for a regulation
Article 9 a (new)**

Text proposed by the Commission

Amendment

Article 9a

***Designation of spawning grounds and
stock recovery areas***

By 2020 at the latest, Member States shall designate spawning grounds and areas where there is clear evidence of heavy concentrations of fish below minimum conservation reference size, and they shall draft joint recommendations in line with Article 12(2) of this Regulation with a view to establishing stock recovery areas for stocks to which this Regulation applies.

Amendment 62

**Proposal for a regulation
Article 10 – title**

Text proposed by the Commission

Amendment

Total allowable catches

Fishing opportunities

Amendment 63

**Proposal for a regulation
Article 10 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. Member States shall take into account objective and transparent criteria pursuant to Article 17 of Regulation (EU) No 1380/2013 when allocating quotas.

Amendment 64

**Proposal for a regulation
Article 10 – paragraph 1 b (new)**

Text proposed by the Commission

Amendment

1b. Member States shall enable the exchange of quotas pursuant to Article 33(2) of Regulation (EU) No 1380/2013 in the context of the joint management of stocks with third countries.

Amendment 65

**Proposal for a regulation
Article 10 – paragraph 2**

Text proposed by the Commission

Amendment

2. Without prejudice to Article 8, the TAC for the stock of Norway lobster in ICES zones IIa and IV shall be the sum of the catch limits of the functional units and of the statistical rectangles outside the functional units.

2. For the stock of Norway lobster in ICES zones IIa and IV, catch limits for each functional unit and a joint TAC for the statistical rectangles outside the functional units shall be established.

Amendment 66

Proposal for a regulation Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10a

Impact of recreational fisheries

- 1. All available data on catches by recreational fisheries shall be examined in order to assess their likely impact on the stocks of regulated species.*
- 2. The Council shall consider the assessment provided for in the first paragraph. For those stocks for which recreational catches are considered to be significant, the Council shall, when setting fishing opportunities, take account of recreational catches by, inter alia:*
 - (a) considering the sum of estimates of catches by recreational fisheries, derived from the best available scientific advice, and the best available scientific advice on commercial fishing opportunities as total catch which corresponds to the target fishing mortality;*
 - (b) imposing restrictions on recreational fisheries, including daily bag limits and closed seasons; or*
 - (c) other means which are deemed appropriate.*

Amendment 67

Proposal for a regulation Article 11 – title

Text proposed by the Commission

Amendment

*Provisions linked to the landing obligation
for Groups 1 to 7*

Provisions linked to the landing obligation

Amendment 68

Proposal for a regulation

Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) exemptions from the application of the landing obligation for species for which scientific *evidence* demonstrates high survival rates, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem, to facilitate the implementation of the landing obligation; and

Amendment

(a) exemptions from the application of the landing obligation for species for which ***the best available*** scientific *advice* demonstrates high survival rates, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem, to facilitate the implementation of the landing obligation; and

Amendment 69

Proposal for a regulation

Article 11 – paragraph 1 – point c

Text proposed by the Commission

(c) specific provisions on documentation of catches, in particular for the purpose of monitoring ***the implementation of*** the landing obligation; and

Amendment

(c) specific provisions on documentation of catches, in particular for the purpose of monitoring ***and controlling in order to ensure a level playing field by ensuring full compliance with*** the landing obligation; and

Amendment 70

Proposal for a regulation

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The measures set out in the first paragraph of this Article shall contribute

to achieving the objectives set out in Article 3 of this Regulation, in particular the protection of juvenile fish and spawning fish.

Amendment 71

Proposal for a regulation Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Technical measures

1. The Commission is empowered to adopt delegated acts in accordance with Article 18 of this Regulation and Article 18 of Regulation (EU) No 1380/2013 regarding the following technical measures:

(a) specifications of characteristics of fishing gears and rules governing their use, to ensure or improve selectivity, to reduce unwanted catches or to minimise the negative impact on the ecosystem;

(b) specifications of modifications or additional devices to the fishing gears, to ensure or improve selectivity, to reduce unwanted catches or to minimise the negative impact on the ecosystem;

(c) limitations or prohibitions on the use of certain fishing gears and on fishing activities, in certain areas or periods to protect spawning fish, fish below the minimum conservation reference size or non-target fish species, or to minimise the negative impact on the ecosystem; and

(d) the fixing of minimum conservation reference sizes for any of the stocks to which this Regulation applies, to ensure the protection of juveniles of marine organisms.

2. The measures referred to in paragraph 1 of this Article shall

contribute to the achievement of the objectives set out in Article 3.

Amendment 97

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. For the purpose of paragraph 1 of this Article, Member States having direct management interest may submit joint recommendations in accordance with Article 18(1) of Regulation (EU) No 1380/2013 for the first time not later than twelve months after the entry into force of this Regulation and thereafter twelve months after each submission of the evaluation of the plan in accordance with Article 17. They may also submit such recommendations when deemed necessary by them, in particular in the event of an abrupt change in the situation for any of the stocks to which this Regulation applies. Joint recommendations in respect of measures concerning a given calendar year shall be submitted no later than 1 July of the previous year.

Amendment

2. For the purpose of paragraph 1 of this Article, Member States having direct management interest may submit joint recommendations in accordance with Article 18(1) of Regulation (EU) No 1380/2013 for the first time not later than twelve months after the entry into force of this Regulation and thereafter twelve months after each submission of the evaluation of the plan in accordance with Article 17. They may also submit such recommendations when deemed necessary by them, in particular in the event of an abrupt change in the situation for any of the stocks to which this Regulation applies. Joint recommendations in respect of measures concerning a given calendar year shall be submitted no later than 1 July of the previous year.

Notwithstanding Article 18(1) and (3) of Regulation (EU) No 1380/2013, the Commission may adopt delegated acts also in the absence of a joint recommendation as referred to in those paragraphs.

Amendment 74

Proposal for a regulation Article 17 – paragraph 1

Text proposed by the Commission

No less than **five** years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ensure an evaluation of the impact of the plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks. It shall submit the results of this evaluation to the European Parliament and to the Council.

Amendment

No less than **three** years after the entry into force of this Regulation, and every five years thereafter, the Commission shall ensure an evaluation of the impact of the plan on the stocks to which this Regulation applies and on the fisheries exploiting those stocks, ***as well as the extent to which the objectives of this Regulation have been met, including the recovery of fish stocks above levels capable of producing the maximum sustainable yield and the progress towards good environmental status.*** It shall submit the results of this evaluation to the European Parliament and to the Council. ***The Commission may report, where this is considered necessary, at an earlier date.***

The Commission shall report annually to the European Parliament and to the Council on progress in achieving the objectives of this Regulation and on the situation of fish stocks in the waters and for the stocks covered by this Regulation, as early as possible following the adoption of the yearly regulation fixing the fishing opportunities available in Union waters and in certain non-Union waters. That report shall be annexed to the annual report referred to in Article 50 of Regulation (EU) No 1380/2013.

That report shall contain:

- (a) the comprehensive scientific advice on the basis of which the fishing opportunities were fixed; and***
- (b) a scientific justification demonstrating that the fishing opportunities fixed are in line with the objectives and provisions of this Regulation, in particular the fishing mortality targets.***

Amendment 75

**Proposal for a regulation
Article 18 a (new)**

Text proposed by the Commission

Amendment

Article 18a

Support from the European Maritime and Fisheries Fund

Temporary cessation measures adopted in order to achieve the objectives of the plan shall be deemed as temporary cessation of fishing activities for the purposes of points (a) and (c) of Article 33(1) of Regulation (EU) No 508/2014.

(This Article should appear in Chapter X)

Amendment 85

**Proposal for a regulation
Annex I**

Text proposed by the Commission

1. Group 1

Stock	<i>Target fishing mortality range consistent with achieving maximum sustainable yield (F_{MSY})</i>	
	<i>Column A</i>	<i>Column B</i>

<i>North Sea</i> cod	0.22 – 0.33	0.33 – 0.49
Haddock	0.25 – 0.37	0.37 – 0.52
<i>North Sea</i> plaice	0.13 – 0.19	0.19 – 0.27
Saithe	0.20 – 0.32	0.32 – 0.43
<i>North Sea</i> sole	0.11 – 0.20	0.20 – 0.37
Kattegat sole	0.19 – 0.22	0.22 – 0.26
<i>North Sea</i> whiting	Not defined	Not defined

2. Group 2

Norway lobster functional unit (FU)	Target fishing mortality range consistent with achieving maximum sustainable yield (F_{MSY}) (as harvest rate)	
	Column A	Column B
Division IIIa FU 3 and 4	0.056 – 0.079	0.079 – 0.079
Farn Deeps FU 6	0.07 – 0.081	0.081 – 0.081
Fladen Ground FU 7	0.066 – 0.075	0.075 – 0.075
Firth of Forth FU 8	0.106 – 0.163	0.163 – 0.163
Moray Firth FU 9	0.091 – 0.118	0.118 – 0.118

Amendment

1. Group 1

<i>Figures in the table come from the most recent ICES Special Request Advice, the “EU request to ICES to provide F_{MSY} ranges for selected North Sea and Baltic Sea stocks”</i>		
STOCK	Target fishing mortality ranges consistent with achieving maximum sustainable yield (F_{MSY})	
<i>Cod in Subarea IV and Divisions VIIId and IIIa West</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Haddock in Subarea IV and Divisions VIa and IIIa West</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Plaice in Subarea IV and Division IIIa</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Saithe in Subareas IV and VI and Division IIIa</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Sole in Subarea IV</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Sole in Division IIIa and Subdivisions 22-24</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Whiting in Subarea IV and Division VIIId</i>	<i>F_{MSY} lower - F_{MSY}</i>	
<i>Anglerfish in Division IIIa and Subareas IV and VI</i>	<i>F_{MSY} lower - F_{MSY}</i>	

<i>Northern Prawn in Divisions IVa East and IIIa</i>	<i>FMSY_{lower} - FMSY</i>	
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2. Group 2

<i>Figures in the table come from the most recent ICES Special Request Advice, the “EU request to ICES to provide F_{MSY} ranges for selected North Sea and Baltic Sea stocks”</i>		
Norway lobster functional unit (FU)	Target fishing mortality ranges consistent with achieving maximum sustainable yield (F _{MSY}) (as harvest rate)	
	Column A	
<i>Division IIIa FU 3 and 4</i>	<i>FMSY_{lower} - FMSY</i>	
<i>Farn Deeps FU 6</i>	<i>FMSY_{lower} - FMSY</i>	
<i>Fladen Ground FU 7</i>	<i>FMSY_{lower} - FMSY</i>	
<i>Firth of Forth FU 8</i>	<i>FMSY_{lower} - FMSY</i>	
<i>Moray Firth FU 9</i>	<i>FMSY_{lower} - FMSY</i>	

Amendment 77

**Proposal for a regulation
Annex II**

Text proposed by the Commission

Amendment

Annex II

Annex II

Conservation reference points

Conservation reference points

(as referred to in Article 7)

1. Group 1

STOCK	Minimum spawning stock biomass reference point (in tonnes) (MSY Btrigger)	Limit biomass reference point (in tonnes) (Blim)
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<i>North Sea</i> cod	165 000	118 000
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Haddock	88 000	63 000
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<i>North Sea</i> plaice	230 000	160 000
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Saithe	200 000	106 000
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<i>North Sea</i> sole	37 000	26 300
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<i>Kattegat</i> sole	2 600	1 850
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(as referred to in Article 7)

1. Group 1

STOCK	Minimum spawning stock biomass reference point (in tonnes) (MSY Btrigger)	Limit biomass reference point (in tonnes) (Blim)
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Column A

Column B

Cod <i>in Subarea IV and Divisions VII d and III a West</i>	165 000	118 000
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Haddock <i>in Subarea IV and Divisions VI a and III a West</i>	88 000	63 000
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Plaice <i>in Subarea IV and Division III a</i>	230 000	160 000
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Saithe <i>in Subareas IV and VI and Division III a</i>	150 000	106 000
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Sole <i>in Subarea IV</i>	37 000	26 300
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Sole <i>in Division III a and Subdivisions 22-24</i>	2 600	1 850
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<i>North Sea whiting</i>	Not defined	Not defined	<i>Whiting in Subarea IV and Division VII d</i>	Not defined	Not defined
			<i>Anglerfish in Division III a and Subareas IV and VI</i>	<i>Not defined</i>	<i>Not defined</i>
			<i>Northern Prawn in Divisions IV a East and III a</i>	<i>Not defined</i>	<i>Not defined</i>
2. Group 2			2. Group 2		
Norway lobster functional unit (FU)	Minimum abundance reference point (in millions) (Abundance buffer)	Limit abundance reference point (in millions) (Abundance limit)	Norway lobster functional unit (FU)	Minimum abundance reference point (in millions) (Abundance buffer)	Limit abundance reference point (in millions) (Abundance limit)
				Column A	Column B
Division III a FU 3 and 4	NA	NA	Division III a FU 3 and 4	NA	NA
Farn Deeps FU 6	999	858	Farn Deeps FU 6	999	858
Fladen Ground FU 7	3 583	2 767	Fladen Ground FU 7	3 583	2 767
Firth of Forth FU 8	362	292	Firth of Forth FU 8	362	292
Moray Firth FU 9	262	262	Moray Firth FU 9	262	262

Amendment 78

Proposal for a regulation Annex II a (new)

Text proposed by the Commission

Amendment

Annex II a

Prohibited species

- (a) *starry ray (Amblyraja radiata);*
- (b) *the following species of sawfish:*
 - (i) *narrow sawfish (Anoxypristis cuspidata);*
 - (ii) *dwarf sawfish (Pristis clavata);*
 - (iii) *smalltooth sawfish (Pristis pectinata);*
 - (iv) *largetooth sawfish (Pristis pristis);*
 - (v) *green sawfish (Pristis zijsron);*
- (c) *basking shark (Cetorhinus maximus) and white shark (Carcharodon carcharias);*
- (d) *common skate (Dipturus batis) complex (Dipturus cf. flossada and Dipturus cf. intermedia);*
- (e) *smooth lanternshark (Etmopterus pusillus) in Union waters of ICES Subarea IV and ICES Division IIIa;*
- (f) *reef manta ray (Manta alfredi);*
- (g) *giant manta ray (Manta birostris);*
- (h) *the following species of Mobula rays:*
 - (i) *devil fish (Mobula mobular);*
 - (ii) *Mobula rochebrunei;*
 - (iii) *spinetail mobula (Mobula japanica);*
 - (iv) *smoothtail mobula (Mobula thurstoni);*
 - (v) *longhorned mobula (Mobula eregoodootenkee);*
 - (vi) *Munk's devil ray (Mobula*

munkiana);

(vii) *Chilean devil ray (Mobula tarapacana)*);

(viii) *shortfin devil ray (Mobula kuhlii)*);

(ix) *lesser devil ray (Mobula hypostoma)*);

(i) *thornback ray (Raja clavata) in Union waters of ICES Division IIIa*;

(j) *guitarfishes (Rhinobatidae)*;

(k) *angel shark (Squatina squatina)*;

(l) *salmon (Salmo salar) and sea trout (Salmo trutta) when fishing with any towed net within the waters outside the six-mile limit measured from Member States' baselines in ICES Subareas II and IV (Union waters)*);

(m) *berried female crawfish (Palinuridae spp.) and berried female lobster (Homarus gammarus) except when used for direct restocking or transplantation purposes.*