



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 18 March 2014
(OR. en)**

7231/14

Interinstitutional File:
2014/0092 (NLE)

PECHE 109

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 March 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2014) 169 final
Subject:	Proposal for a COUNCIL REGULATION amending Regulation (EU) No 43/2014 as regards catch limits for the fisheries on sandeel in EU waters of ICES zones IIa, IIIa and IV

Delegations will find attached document COM(2014) 169 final.

Encl.: COM(2014) 169 final



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Proposal for a

COUNCIL REGULATION

**amending Regulation (EU) No 43/2014 as regards catch limits for the fisheries on
sandeel in EU waters of ICES zones IIa, IIIa and IV**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

Council Regulation (EU) No 43/2014 fixed, for 2014, the fishing opportunities for certain fish stocks and groups of fish stocks applicable in Union waters and, for Union vessels, in certain non-Union waters. This Regulation focuses mainly on Atlantic and North Sea stocks. These fishing opportunities are usually amended several times during the period in which they are in effect.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Not applicable.

3. LEGAL ELEMENTS OF THE PROPOSAL

The proposal seeks to amend Regulation (EU) No 43/2014 so as to allow fishing for sandeel in ICES zones IIa, IIIa and IV. The levels proposed are in accordance with the scientific advice for this stock delivered by ICES on 21 February 2014.

Proposal for a

COUNCIL REGULATION

amending Regulation (EU) No 43/2014 as regards catch limits for the fisheries on sandeel in EU waters of ICES zones IIa, IIIa and IV

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission¹,

Whereas:

- (1) Catch limits for sandeel in EU waters of ICES zones IIa, IIIa and IV were set at zero in Annex IA of Regulation (EU) 43/2014, pending advice from the International Council for the Exploration of the Sea (ICES).
- (2) ICES advice on the stock has been available since 21 February 2014, and it is now possible to set a TAC for sandeel in this area, distributed in seven management areas in order to avoid local depletion. The allocation of quotas in these management areas should take into account the exchanges agreed with Norway in the light of consultations on fishing rights held in accordance with the bilateral agreement on fisheries with Norway².
- (3) Annex IA to Regulation (EU) No 43/2014 should therefore be amended accordingly.
- (4) The catch limits provided for in Regulation (EU) 43/2014 apply respectively from 1 January 2014. The provisions of this Regulation concerning catch limits should therefore also apply from that date. Such retroactive application will be without prejudice to the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned were set to zero in the Regulation (EU) 43/2014. Since the modification of this catch limit has an influence on the economic activities and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication.

¹ OJ C , , p. .

² Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

HAS ADOPTED THIS REGULATION:

Article 1
Amendment to Regulation (EU) No 43/2014

Annex IA to Regulation (EU) No 43/2014 is amended in accordance with the Annex to this Regulation.

Article 2
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 2014.

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

Done at Brussels,

For the Council
The President