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PECHE 351

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL REGULATION amending Regulation (EU) No 2015/104 as regards certain fishing opportunities

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**COUNCIL REGULATION (EU) No .../2015**

**of**

**amending Regulation (EU) No 2015/104 as regards certain fishing opportunities**

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 Commission,

Whereas:

- (1) According to the most recent scientific advice from International Council for the Exploration of the Sea (ICES), herring in ICES division IIIa is within safe biological limits within the meaning of Article 4(18) of Regulation (EU) 1380/2013<sup>1</sup>. That stock should therefore be identified in Annex I to Regulation (EU) 2015/104<sup>2</sup> for the purposes of applying the derogation provided for in Article 15(8) of Regulation (EU) 1380/2013.
- (2) The most recent scientific advice from ICES also indicates that a limited increase of the 2015 total allowable catch (TAC) for herring in ICES divisions VIIg, VIIh, VIIj and VIIk is possible and is consistent with the objectives of the Common Fisheries Policy, set out in Article 2(2) of Regulation (EU) No 1380/2013.

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<sup>1</sup> 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).

<sup>2</sup> Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 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, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 (OJ L 22 28.1.2015, p. 1).

- (3) The stock of plaice in ICES division VIIId was benchmarked in 2015. Now, maximum sustainable yield advice and the most recent scientific advice from ICES indicate a significant increase in the stock. One of the consequences of that increased abundance is that there are significant discards when plaice is caught as by-catch. It is therefore appropriate to increase to the TAC for plaice in ICES divisions VIIId and e to a level that would reduce discards without negatively affecting the stock of plaice or other stocks in the same area.
- (4) On 30 June 2015, ICES issued advice concerning sprat in Union waters of ICES division IIa and ICES subarea IV covering the period from July 2015 to June 2016. That advice allows for a total amount of wanted catches of 506 000 tonnes and is mainly based to record high recruitment, new estimations of mortality and updated model inputs.
- (5) The TAC for sprat in Union waters of ICES division IIa and ICES subarea IV for the year 2015 is currently fixed at 227 000 tonnes by Council Regulation (EU) 2015/104. On the basis of the ICES advice of 30 June 2015, that TAC should be increased to optimise harvesting of that stock.
- (6) Since the ICES advice of 30 June 2015 covers the period from July 2015 to June 2016, only part of the maximum amount of catches advised by ICES should be taken into account to increase the fishing opportunities for the year 2015.

- (7) TAC for Norway pout in ICES division IIIa and Union waters of division IIa and subarea IV currently applies from 1 January to 31 October 2015. As the ICES advice will be issued only in the last quarter of 2015, the application period of the current total allowable catch for Norway pout in that area should be extended until the end of 2015.
- (8) Following a transfer from Norway, Union vessels will be allowed to fish 1 500 tonnes of redfish in Norwegian waters of ICES subareas I and II.
- (9) Regulation (EU) 2015/104 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

## Article 1

Regulation (EU) 2015/104 is amended as follows:

1. Annex IA is amended as follows:

(a) the fishing opportunities table for herring (*Clupea harengus*) in IIIa is replaced by the following:

"Species:	Herring <sup>(1)</sup> <i>Clupea harengus</i>	Zone:	IIIa (HER/03A.)
Denmark	18 034 <sup>(2)</sup>	Analytical TAC	
Germany	289 <sup>(2)</sup>	Article 3 of Regulation (EC) No 847/96 shall not apply	
Sweden	18 865 <sup>(2)</sup>	Article 4 of Regulation (EC) No 847/96 shall not apply	
Union	37 188 <sup>(2)</sup>	Article 7(3) of this Regulation applies	
Norway	5 816		
Faroe Islands	600 <sup>(3)</sup>		
TAC	43 604		
(1)	Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.		
(2)	Special condition: up to 50 % of this amount may be fished in Union waters of IV (HER/*04-C.).		
(3)	May only be fished in the Skagerrak (HER/*03AN.).		

(b) the fishing opportunities table for herring (*Clupea harengus*) in VIIg, VIIh, VIIj and VIIk is replaced by the following:

"Species:	Herring <i>Clupea harengus</i>	Zone:	VIIg <sup>(1)</sup> , VIIh <sup>(1)</sup> , VIIj <sup>(1)</sup> and VIIk <sup>(1)</sup> (HER/7G-K.)
Germany	213	Analytical TAC	
France	1 185	Article 7(3) of this Regulation applies	
Ireland	16 591		
The Netherlands	1 185		
United Kingdom	24		
Union	19 198		
TAC	19 198		
(1)	This zone is increased by the area bounded:		
	- to the north by latitude 52° 30' N,		
	- to the south by latitude 52° 00' N,		
	- to the west by the coast of Ireland,		
	- to the east by the coast of the United Kingdom.		

(c) The fishing opportunities table for plaice (*Pleuronectes platessa*) in VIId and VIIe is replaced by the following:

"Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIId and VIIe (PLE/7DE.)
Belgium	1 018 <sup>(1)</sup>	Analytical TAC	
France	3 395 <sup>(1)</sup>		
United Kingdom	1 810 <sup>(1)</sup>		
Union	6 223		
TAC	6 223		
(1)	In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, under the conditions set out in Chapter II of Title II of this Regulation.		

- (d) the fishing opportunities table for Sprat (*Sprattus sprattus*) and associated by-catches in Union waters of IIa and IV is replaced by the following:

"Species:	Sprat and associated by-catches <i>Sprattus sprattus</i>	Zone:	Union waters of IIa and IV (SPR/2AC4-C)
Belgium	3 929 <sup>(1)</sup>	Analytical TAC	
Denmark	310 987 <sup>(1)</sup>	Article 7(3) of this Regulation applies	
Germany	3 929 <sup>(1)</sup>		
France	3 929 <sup>(1)</sup>		
The Netherlands	3 929 <sup>(1)</sup>		
Sweden	1 330 <sup>(1)(2)</sup>		
United Kingdom	12 967 <sup>(1)</sup>		
Union	341 000		
Norway	9 000		
TAC	350 000		
(1)	Without prejudice to the landing obligation, catches of dab and whiting may be counted against up to 2% of the quota (OTH/*2AC4C), provided that not more than 9% in total of this quota for sprat is accounted for by these catches and by-catches of those species that are accounted for under Article 15(8) of Regulation (EU) No 1380/2013.		
(2)	Including sandeel. "		

- (e) footnote 4 in the fishing opportunities table for Norway pout (*Trisopterus esmarki*) and associated by-catches in IIIa; Union waters of IIa and IV shall be deleted.



2. In Annex IB, the fishing opportunities table for redfish (*Sebastes* spp.) in Norwegian waters of ICES subareas I and II is replaced by the following table:

"Species:	Redfish <i>Sebastes</i> spp.	Zone:	Norwegian waters of I and II (RED/1N2AB.)
Germany	766	Analytical TAC	
Spain	95	Article 3 of Regulation (EC) No 847/96 shall not apply	
France	84	Article 4 of Regulation (EC) No 847/96 shall not apply	
Portugal	405		
United Kingdom	150		
Union	1 500		
TAC	Not relevant "		

### *Article 2*

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

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

Done ...,

*For the Council*

*The President*