



**COUNCIL OF  
THE EUROPEAN UNION**

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**PECHE 631**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL REGULATION fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea

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**COUNCIL REGULATION (EU) No .../2014**

**of**

**fixing for 2014 the fishing opportunities for certain fish stocks  
and groups of fish stocks in the Black Sea**

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) Article 43(3) of the Treaty provides that the Council, on a proposal from the Commission, is to adopt measures on the fixing and allocation of fishing opportunities.
- (2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council <sup>1</sup> requires that conservation measures be adopted taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF).
- (3) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities by fishery or group of fisheries in the Black Sea, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be allocated to Member States in such a way as to ensure relative stability of fishing activities of each Member State for each fish stock or fishery and having due regard to the objectives of the Common Fisheries Policy established in Regulation (EU) No 1380/2013.
- (4) TACs should be established on the basis of the available scientific advice, taking into account biological and socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of the opinions expressed during the consultation of stakeholders.

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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).

- (5) The use of fishing opportunities set out in this Regulation is subject to Council Regulation (EC) No 1224/2009<sup>1</sup> and in particular to Articles 33 and 34 thereof concerning, respectively, the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by the Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.
- (6) In accordance with Article 2 of Council Regulation (EC) No 847/96<sup>2</sup>, the stocks that are subject to the various measures referred to therein must be identified.
- (7) In order to avoid interruption of fishing activities and to ensure the livelihood of Union fishermen, it is important to open the fisheries concerned in the Black Sea on 1 January 2014. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

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<sup>1</sup> Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p.1).

<sup>2</sup> Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

# CHAPTER I

## Scope and definitions

### *Article 1*

#### *Subject matter*

This Regulation fixes the fishing opportunities for 2014 for certain fish stocks and groups of fish stocks in the Black Sea.

### *Article 2*

#### *Scope*

This Regulation shall apply to EU vessels operating in the Black Sea.

### *Article 3*

#### *Definitions*

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

- (a) "GFCM" means General Fisheries Commission for the Mediterranean;
- (b) "Black Sea" means the geographical sub-area 29 as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and the Council<sup>1</sup> and in the resolution GFCM/33/2009/2;

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<sup>1</sup> 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).

- (c) "EU vessel" means a fishing vessel flying the flag of a Member State and registered in the Union;
- (d) "total allowable catch (TAC)" means the quantity that can be taken from each stock each year;
- (e) "quota" means a proportion of the TAC allocated to the Union, a Member State or a third country.

## **CHAPTER II**

### **Fishing opportunities**

#### *Article 4*

#### *TACs and allocation*

The TACs for EU vessels, the allocation of such TACs among Member States, and the conditions functionally linked thereto, where appropriate, are set out in the Annex.

#### *Article 5*

#### *Special provisions on allocations*

The allocation of fishing opportunities among Member States as set out in in this Regulation shall be without prejudice to:

- (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;

- (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
- (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96;
- (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;
- (e) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.

### *Article 6*

#### *Conditions for landing catches and by-catches*

Fish from stocks for which fishing opportunities are fixed by this Regulation shall be retained on board or landed only if:

- (a) the catches have been taken by vessels of a Member State having a quota and that quota is not exhausted; or
- (b) the catches consist of a share in a Union quota which has not been allocated by quota among Member States, and that Union quota has not been exhausted.

## CHAPTER III

### Final provisions

#### *Article 7*

##### *Data transmission*

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States send the Commission data relating to landings of quantities of stocks caught, they shall use the stock codes set out in the Annex to this Regulation.

#### *Article 8*

##### *Entry into force*

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*

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## ANNEX

TACs applicable to EU vessels in areas where TACs exist by species and by area

The following tables set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto, where appropriate.

Fish stocks are referred to following the alphabetical order of the Latin names of the species. For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

Scientific name	Alpha-3 code	Common name
<i>Psetta maxima</i>	TUR	Turbot
<i>Sprattus sprattus</i>	SPR	Sprat

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Species:	Turbot <i>Psetta maxima</i>	Zone:	EU waters in the Black Sea TUR/F37.4.2.C.
Bulgaria	43,2	Analytical TAC	
Romania	43,2	Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.	
Union	86,4 <sup>(1)</sup>		
TAC	Not relevant		

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<sup>(1)</sup> No fishing activity, including transshipment, taking on board, landing and first sale shall be permitted from 15 April to 15 June 2014.

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Species:	Sprat <i>Sprattus sprattus</i>	Zone: EU waters in the Black Sea SPR/F37.4.2.C
Bulgaria	8032,5	Analytical TAC
Romania	3442,5	Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.
Union	11 475	
TAC	Not relevant	