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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	8 March 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2016) 123 final - ANNEX 1
Subject:	ANNEX to the Commission Proposal for a Council Regulation amending Council Regulation (EU) 2016/72 as regards certain fishing opportunities

Delegations will find attached document COM(2016) 123 final - ANNEX 1.

Encl.: COM(2016) 123 final - ANNEX 1



Brussels, 8.3.2016
COM(2016) 123 final

ANNEX 1

ANNEX

to the

Commission Proposal for a Council Regulation

amending Council Regulation (EU) 2016/72 as regards certain fishing opportunities

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to the

Commission Proposal for a Council Regulation

amending Council Regulation (EU) 2016/72 as regards certain fishing opportunities

1. Annex IA to Regulation (EU) 2016/72 is amended as follows:

(a) the fishing opportunities table for sandeel in Union waters of IIa, IIIa and IV is replaced by the following:

Species: Sandeel <i>Ammodytes spp.</i>		Zone: Union waters of IIa, IIIa and IV(1)
Denmark	74 727 ⁽²⁾	Analytical TAC
United Kingdom	1 634 ⁽²⁾	Article 3 of Regulation (EC) No 847/96 shall not apply
Germany	114 ⁽²⁾	Article 4 of Regulation (EC) No 847/96 shall not apply
Sweden	2 744 ⁽²⁾	
Union	79 219	
TAC	79 219	

(1) Excluding waters within six nautical miles of the UK baselines at Shetland, Fair Isle and Foula.

(2) Without prejudice to the landing obligation catches of dab, whiting and mackerel may be counted against up to 2 % of the quota (OT1/*2A3A4), provided that not more than 9% in total of this quota for sandeel 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.

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following sandeel management areas, as defined in Annex IID:

Zone: Union waters of sandeel management areas

	1	2	3	4	5	6	7
	(SAN/234_1)	(SAN/234_2)	(SAN/234_3)	(SAN/234_4)	(SAN/234_5)	(SAN/234_6)	(SAN/234_7)
Denmark	4 717	4 717	59 428	5 659	0	206	0
United Kingdom	103	103	1 299	124	0	5	0
Germany	7	7	91	9	0	0	0
Sweden	173	173	2 182	208	0	8	0
Union	5 000	5 000	63 000	6 000	0	219	0
Total	5 000	5 000	63 000	6 000	0	219	0

- (b) the fishing opportunities table for blue whiting in Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV is replaced by the following:

Species: Blue whiting <i>Micromesistius poutassou</i>	Zone: Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV (WHB/1X14)
Denmark	31 704 ⁽³⁾
Germany	12 327 ⁽³⁾
Spain	26 878 ^{(2) (3)}
France	22 063 ⁽³⁾
Ireland	24 550 ⁽³⁾
The Netherlands	38 659 ⁽³⁾
Portugal	2 497 ^{(2) (3)}
Sweden	7 842 ⁽³⁾
United Kingdom	41 137 ⁽³⁾
Union	207 657 ^{(1) (3)}
Norway	75 000
Faroe Islands	9 000

TAC Not relevant

- (1) Special condition: from the EU quotas in Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV (WHB/*NZJM1) and in VIIIc, IX and X; Union waters of CECAF 34.1.1 (WHB/*NZJM2), the following quantity may be fished in the Norwegian Economic Zone or in the fishery zone around Jan Mayen:

149 506

- (2) Transfers of this quota may be effected to VIIIc, IX and X; Union waters of CECAF 34.1.1. However, such transfers shall be notified in advance to the Commission.
- (3) Special condition: within a total access quantity of 21 500 tonnes for the Union, Member States may fish up to the following percentage of their quotas in Faroese waters (WHB/*05-F.): 9,2%

- (c) the fishing opportunities table for ling in Norwegian waters of IV is replaced by the following:

Species: Ling <i>Molva molva</i>	Zone: Norwegian waters of IV (LIN/04-N.)
Belgium	9
Denmark	1 164
Germany	33
France	13
The Netherlands	2
United Kingdom	104
Union	1 325
TAC	Not relevant

(d) the fishing opportunities table for "other species" in Norwegian waters of IV is replaced by the following:

Species:	Other species	Zone:	Norwegian waters of IV (OTH/04-N.)
Belgium	46	Precautionary TAC	
Denmark	4 250		
Germany	479		
France	197		
The Netherlands	340		
Sweden	Not ⁽¹⁾ relevant		
United Kingdom	3 188		
Union	8 500 ⁽²⁾		
TAC	Not relevant		

(1) Quota allocated by Norway to Sweden of "other species" at a traditional level.

(2) Including fisheries not specifically mentioned. Exceptions may be introduced after consultations, as appropriate.

(e) the fishing opportunities table for skates and rays in Union waters of VIa, VIb, VIIa-c and VIIe-k is replaced by the following:

Species:	Skates and rays	Zone:	Union waters of VIa, VIb, VIIa-c and VIIe-k
<i>Rajiformes</i>		(SRX/67AKXD)	
Belgium	725	(1) (2) (3)(4)	Precautionary TAC
Estonia	4	(1) (2) (3)(4)	Article 12(1) of this Regulation applies
France	3 255	(1) (2) (3)(4)	
Germany	10	(1) (2) (3)(4)	
Ireland	1 048	(1) (2) (3)(4)	
Lithuania	17	(1) (2) (3)(4)	
The Netherlands	3	(1) (2) (3)(4)	
Portugal	18	(1) (2) (3)(4)	
Spain	876	(1) (2) (3)(4)	
United Kingdom	2 076	(1) (2) (3)(4)	
Union	8 032	(1) (2) (3)(4)	
TAC	8 032	(3)(4)	
(1)	Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/67AKXD), thornback ray (<i>Raja clavata</i>) (RJC/67AKXD), blonde ray (<i>Raja brachyura</i>) (RJH/67AKXD), spotted ray (<i>Raja montagui</i>) (RJM/67AKXD), sandy ray (<i>Raja circularis</i>) (RJI/67AKXD) and shagreen ray (<i>Raja fullonica</i>) (RJF/67AKXD) shall be reported separately.		
(2)	Special condition: of which up to 5 % may be fished in Union waters of VIId (SRX/*07D.), without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein. Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/*07D.), thornback ray (<i>Raja clavata</i>) (RJC/*07D.), spotted ray (<i>Raja montagui</i>) (RJM/*07D.), sandy ray (<i>Raja circularis</i>) (RJI/*07D.) and shagreen ray (<i>Raja fullonica</i>) (RJF/*07D.) shall be reported separately. This special condition shall not apply to undulate ray (<i>Raja undulata</i>).		
(3)	Shall not apply to small-eyed ray (<i>Raja microocellata</i>). When accidentally caught, this species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		
(4)	Shall not apply to undulate ray (<i>Raja undulata</i>). This species shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in area VIIe may only be landed whole or gutted, and provided that it does not comprise more than 20 kilograms live weight per fishing trip. The catches shall remain under the quotas shown in the table below. The former provisions are without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the following code: (RJI/67AKXD). Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:		

- (f) the fishing opportunities table for skates and rays in Union waters of VIId is replaced by the following:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIId (SRX/07D.)
Belgium	87	(1) (2) (3)(4)	Precautionary TAC
France	729	(1) (2) (3)(4)	
The Netherlands	5	(1) (2) (3)(4)	
United Kingdom	145	(1) (2) (3)(4)	
Union	966	(1) (2) (3)(4)	
TAC	966	(3)(4)	
(1)	Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/07D.), thornback ray (<i>Raja clavata</i>) (RJC/07D.), blonde ray (<i>Raja brachyura</i>) (RJH/07D.), spotted ray (<i>Raja montagui</i>) (RJM/07D.) and undulate ray (<i>Raja undulata</i>) (RJU/07D.) shall be reported separately.		
(2)	Special condition: of which up to 5 % may be fished in Union waters of VIa, VIb, VIIa-c and VIIe-k (SRX/*67AKD). Catches of Cuckoo ray (<i>Leucoraja naevus</i>) (RJN/*67AKD), thornback ray (<i>Raja clavata</i>) (RJC/*67AKD), blonde ray (<i>Raja brachyura</i>) (RJH/*67AKD), spotted ray (<i>Raja montagui</i>) (RJM/*67AKD) shall be reported separately. This special condition shall not apply to undulate ray (<i>Raja undulata</i>).		
(3)	Shall not apply to small-eyed ray (<i>Raja microocellata</i>). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		
(4)	Shall not apply to undulate ray (<i>Raja undulata</i>). This species shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in the area covered by this TAC may only be landed whole or gutted, and provided that it does not comprise more than 40 kilograms live weight per fishing trip. The catches shall remain under the quotas shown in the table below. The former provisions are without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the following code: (RJU/07D.). Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:		
Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIId (RJU/07D.)
Belgium		1	Precautionary TAC
France		9	
The Netherlands		0	
United Kingdom		2	
Union		12	
TAC		12	
Special condition: of which up to 5 % may be fished in Union waters of VIIe and reported under the following code: (RJU/*67AKD). This special condition is without prejudice to the prohibitions set out in Articles 13 and 46 of this Regulation for the areas specified therein.			

2. Annex IB to Regulation (EU) 2016/72 is amended as follows:

- (a) the fishing opportunities table for cod in Norwegian waters of I and II is replaced by the following:

Species:	Cod <i>Gadus morhua</i>	Zone:	Norwegian waters of I and II (COD/1N2AB.)
Germany	2 405	Analytical TAC	
Greece	298	Article 3 of Regulation (EC) No 847/96 shall not apply	
Spain	2 682	Article 4 of Regulation (EC) No 847/96 shall not apply	
Ireland	298		
France	2 207		
Portugal	2 682		
United Kingdom	9 328		

Union 19 900

TAC Not relevant

(b) the fishing opportunities table for cod in I and IIb is replaced by the following:

Species:	Cod <i>Gadus morhua</i>	Zone:	I and IIb (COD/1/2B.)
Germany	6 593 ⁽³⁾	Analytical TAC	
Spain	13 192 ⁽³⁾	Article 3 of Regulation (EC) No 847/96 shall not apply	
France	3 122 ⁽³⁾	Article 4 of Regulation (EC) No 847/96 shall not apply	
Poland	2 728 ⁽³⁾		
Portugal	2 643 ⁽³⁾		
United Kingdom	4 403 ⁽³⁾		
Other Member States	495 ^{(1) (3)}		
Union	33 176 ⁽²⁾		

TAC

Not relevant

(1)

Except Germany, Spain, France, Poland, Portugal and the United Kingdom.

(2)

The allocation of the share of the cod stock available to the Union in the zone Spitzbergen and Bear Island and the associated by-catches of haddock are entirely without prejudice to the rights and obligations deriving from the 1920 Treaty of Paris.

(3)

By-catches of haddock may represent up to 14 % per haul. The by-catch quantities of haddock are in addition to the quota for cod.

(c) the fishing opportunities table for haddock in Norwegian waters of I and II is replaced by the following:

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	Norwegian waters of I and II (HAD/1N2AB.)
Germany	267	Analytical TAC	
France	160	Article 3 of Regulation (EC) No 847/96 shall not apply	
United Kingdom	820	Article 4 of Regulation (EC) No 847/96 shall not apply	
Union	1 247		
TAC	Not relevant		

(d) In Annex IB the fishing opportunities table for other species (by-catch) in Greenland waters is replaced by the following:

Species:	By-catches ⁽¹⁾	Zone:	Greenland waters (B-C/GRL)
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Union	1 126	Precautionary TAC
		Article 3 of Regulation (EC) No 847/96 shall not apply
TAC	Not relevant	Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ By-catches of grenadiers (*Macrourus* spp.) shall be reported in line with the following fishing opportunities tables: grenadiers in Greenland waters of V and XIV (GRV/514GRN) and grenadiers in Greenland waters of NAFO 1 (GRV/N1GRN.)

3. In Annex IF to Regulation (EU) 2016/72, the fishing opportunities table for orange roughy in SEAFO Sub-Division B1 is replaced by the following:

Species:	Orange roughy <i>Hoplostethus atlanticus</i>	Zone:	SEAFO Sub-Division B1 ⁽¹⁾ (ORY/F47NAM)
TAC	0 ⁽²⁾	Precautionary TAC	

⁽¹⁾ For the purpose of this Annex, the area open to the fishery is defined as having:

- its western boundary on the longitude 0° E,
- its northern boundary on the latitude 20° S,
- its southern boundary on the latitude 28° S, and
- the eastern boundary outer limits of the Namibian EEZ.

⁽²⁾ Except for a by-catch allowance of 4 tonnes (ORY/*F47NA)

4. In Annex IJ to Regulation (EU) 2016/72, the fishing opportunities table for jack mackerel in the SPRFMO Convention Area is replaced by the following:

Species:	Jack mackerel <i>Trachurus murphyi</i>	Zone:	SPRFMO Convention Area (CJM/SPRFMO)
Germany	7 067,15	Analytical TAC	
The Netherlands	7 660,06	Article 3 of Regulation (EC) No 847/96 shall not apply	
Lithuania	4 917,5	Article 4 of Regulation (EC) No 847/96 shall not apply	
Poland	8 455,29		
Union	28 100		
TAC	Not relevant		

5. Annex VIII to Regulation (EU) 2016/72 is replaced by the following:

"ANNEX VIII

QUANTITATIVE LIMITATIONS OF FISHING AUTHORISATIONS
FOR THIRD-COUNTRY VESSELS FISHING IN UNION WATERS

Flag State	Fishery	Number of fishing authorisations	Maximum number of vessels present at any time
Norway	Herring, north of 62° 00' N	To be established	To be established
Faroe Islands	Mackerel, VIa (north of 56° 30' N), IIa, IVa (north of 59° N)	14	14
	Horse mackerel, IV, VIa (north of 56° 30' N), VIIe, VIIf, VIIIh		
	Herring, north of 62° 00' N	20	To be established
	Herring, IIIa	4	4
	Industrial fishing for Norway pout, IV, VIa (north of 56° 30' N) (including unavoidable by-catches of blue whiting)	14	14
	Ling and tusk	20	10
	Blue whiting, II, IVa, V, VIa (north of 56° 30' N), VIb, VII (west of 12° 00' W)	20	20
	Blue ling	16	16
Venezuela ⁽¹⁾	Snappers (French Guiana waters)	45	45

⁽¹⁾ To issue those fishing authorisations, proof must be produced that a valid contract exists between the ship owner applying for the fishing authorisation and a processing undertaking situated in the Department of French Guiana, and that it includes an obligation to land at least 75 % of all snapper catches from the vessel concerned in that department so that they may be processed in that undertaking's plant. Such a contract must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guianese economy. A copy of the duly endorsed contract shall be appended to the fishing authorisation application. Where such an endorsement is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission.

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