



Council of the
European Union

Brussels, 25 September 2023
(OR. en)

12752/23

Interinstitutional File:
2023/0304 (NLE)

PECHE 336

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EU) 2023/194 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks

COUNCIL REGULATION (EU) 2023/...

of ...

amending Regulation (EU) 2023/194 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks

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) Council Regulation (EU) 2023/194¹ fixes for 2023 the fishing opportunities for certain fish stocks applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.
- (2) Regulation (EU) 2023/194 sets a provisional total allowable catch (TAC) for anchovy in International Council for the Exploration of the Sea (ICES) subareas 9 and 10 and Union waters of Committee for Eastern Central Atlantic Fisheries (CECAF) division 34.1.1 for the period from 1 July to 30 September 2023, pending the publication by ICES of its scientific advice for the period from 1 July 2023 to 30 June 2024, and allows fishing for that stock to continue. Following the publication of that ICES advice on 21 June 2023, the definitive TAC for the period from 1 July 2023 to 30 June 2024 should be set at the level of 20 555 tonnes, in accordance with that advice.
- (3) Regulation (EU) 2023/194 should therefore be amended accordingly.

¹ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

- (4) Given the urgency of avoiding any interruption of fishing activities, this Regulation should enter into force on the date of its publication in the *Official Journal of the European Union*.
- (5) The TAC for anchovy in ICES subareas 9 and 10 and Union waters of CECAF division 34.1.1 should apply from 1 July 2023. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations, as the fishing opportunities concerned are increased by the amendment,

HAS ADOPTED THIS REGULATION:

Article 1
Amendment of Regulation (EU) 2023/194

Annex IA to Regulation (EU) 2023/194 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 of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2023.

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

Done at Brussels,

For the Council
The President

ANNEX

In Part A of Annex IA to Regulation (EU) 2023/194, the second table is replaced by the following:

| | | | | |
|----------|---|-----|----------------|---|
| Species: | Anchovy <i>Engraulis encrasicolus</i> | | Zone: | 9 and 10; Union waters of CECAF 34.1.1 (ANE/9/3411) |
| Spain | 9 831 | (1) | Analytical TAC | |
| Portugal | 10 724 | (1) | | |
| Union | 20 555 | (1) | | |
| TAC | 20 555 | (1) | | |
| (1) | This quota may only be fished from 1 July 2023 to 30 June 2024. | | | |