Commission Delegated Regulation (EU) 2020/1759 of 28 August 2020 correcting Delegated Regulation (EU) No 1394/2014 establishing a discard plan for certain pelagic fisheries in South-Western waters

COMMISSION DELEGATED REGULATION (EU) 2020/1759

of 28 August 2020

correcting Delegated Regulation (EU) No 1394/2014 establishing a discard plan for certain pelagic fisheries in South-Western waters

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 15(6) and Article 18(1) and (3) thereof,

Whereas:

(1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation for catches of species subject to catch limits.

(2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of a delegated act for a period of no more than three years and renewable once on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.

(3) Belgium, Spain, France, the Netherlands and Portugal have a direct fisheries management interest in the South-Western waters. After consulting the South Western Waters Advisory Council and the Pelagic Advisory Council, those Member States submitted on 2 June 2017 a joint recommendation to the Commission to extend the duration of *de minimis* exemptions established in the discard plan.

(4) Following that recommendation and a positive evaluation provided by Scientific, Technical and Economic Committee for Fisheries (STECF)[(2)], Commission Delegated Regulation (EU) 2018/188[(3)] granted the extension of the *de minimis* exemption as regards catches of anchovy, mackerel and horse mackerel in International Council for the Exploration of the Sea ICES division 8 for otter trawls (OTM) and pair trawls (PTM) for the years 2018, 2019 and 2020. That exemption had already been granted in Commission Delegated Regulation (EU) No 1394/2014[(4)] for OTM and PTM for the years 2015, 2016 and 2017 due to the reasoned argumentation on the difficulties to further increase selectivity.

(5) Due to an error, PTM was unintentionally excluded in Delegated Regulation (EU) 2018/188 and the abovementioned Member States requested the Commission to correct

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/1759. (See end of Document for details)*

the omission. The reference to just one gear should be deleted to cover all pelagic gears (OTM and PTM) as regards catches of anchovy, mackerel and horse mackerel.

(6) Delegated Regulation (EU) No 1394/2014 should be amended accordingly.

(7) As the measures provided for in this Regulation have a direct impact on the planning of the fishing season of Union vessels and on related economic activities, this Regulation should enter into force immediately after its publication. Considering that Delegated Regulation (EU) 2018/188 applies from 1 January 2018, this Regulation should apply from 1 January 2020,

HAS ADOPTED THIS REGULATION:

Article 1

In Delegated Regulation (EU) No 1394/2014, point (c) of Article 3 is replaced by the following:

(c) up to a maximum of 4 % in 2018, 2019 and 2020 of the total annual catches of anchovy, mackerel and horse mackerel in the pelagic trawl fishery which targets anchovy, mackerel and horse mackerel in ICES division 8 using pelagic trawls;.

Article 2

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 2020.

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

Done at Brussels, 28 August 2020.

For the Commission

The President

Ursula VON DER LEYEN