Commission Implementing Regulation (EU) 2020/1155 of 30 July 2020 adding to the 2020 fishing quotas certain quantities withheld in the year 2019 pursuant to Article 4(2) of Council Regulation (EC) No 847/96

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1155

of 30 July 2020

adding to the 2020 fishing quotas certain quantities withheld in the year 2019 pursuant to Article 4(2) of Council Regulation (EC) No 847/96

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas[(1)], and in particular Article 4(2) thereof,

Whereas:

(1) Pursuant to Article 4(2) of Regulation (EC) No 847/96, Member States may, before 31 October of the year of application of a fishing quota allocated to them, ask the Commission to withhold a maximum of 10 % of the quota and to transfer it to the following year.

(2) Council Regulations (EU) 2018/1628[(2)], (EU) 2018/2025[(3)], (EU) 2018/2058[(4)] and (EU) 2019/124[(5)] fix fishing quotas for certain stocks for 2019 and specify which stocks may be subject to the measures provided for in Regulation (EC) No 847/96.

(3) Council Regulations (EU) 2018/2025, (EU) 2019/1838[(6)], (EU) 2019/2236[(7)] and (EU) 2020/123[(8)] fix fishing quotas for certain stocks for 2020.

(4) Certain Member States have requested, before 31 October 2019, pursuant to Article 4(2) of Regulation (EC) No 847/96, that part of their quotas for 2019 for the stocks listed in the Annex to this Regulation be withheld and transferred to the following year. Subject to the limits indicated in that Regulation, the quantities withheld should be added to the quotas for 2020.

(5) For the purposes of this flexibility exercise, the eligibility of requested stock transfers and the state of exploitation of these stocks have been verified and taken into account. Therefore these stocks can be subject to the transfer of quota withheld from 2019 to 2020 in line with Article 4(2) of Regulation (EC) No 847/96.

(6) Article 8 of Regulation (EU) 2019/124 provides for a quota exchanges mechanism for Member States having no quota for certain by-catches. Pursuant to Article 8(3) of that Regulation, the quantities drawn from this pool may not be transferred to the following year. In 2019, The Netherlands benefited from this mechanism as regards cod in areas 7b, 7c, 7e-k, 8, 9 and 10; Union waters of CECAF 34.1.1 (COD/7XAD34) of which unused quantities may not be carried over to 2020. However, the Netherlands

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also increased their quota for this stock thanks to a transfer of 0,102 tonne allocated in accordance with Commission Implementing Regulation (EU) 2019/1704[(9)]. Therefore, a maximum of 10 % of this quantity solely may be carried over to the following year.

(7) In order to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of living marine biological resources, hinder the achievement of the objectives of the Common Fisheries Policy and deteriorate the biological status of the stocks, the year-to-year flexibility provided for by Article 15(9) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council[(10)] is excluded for the stocks listed in the Annex to this Regulation.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The fishing quotas fixed for 2020 in Regulations (EU) 2018/2025, (EU) 2019/1838, (EU) 2019/2236 and (EU) 2020/123 are increased as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh day 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 at Brussels, 30 July 2020.

For the Commission

The President

Ursula VON DER LEYEN

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ANNEX

Country ID	Stock Id	Species	Zone name	Final Quota 2019[a] (in tonnes)	Catches 2019 (in tonnes)	Special condition[b] 2019 (in tonnes)	% final quota catches	Transferred quantity (in tonnes)
BE	ANF/ *8ABDE	Anglerfish	8a, 8b, 8d and 8e (special condition to ANF/07.)	339,277	66,860	0	19,71	33,928
BE	ANF/07.	Anglerfish	7	2 970,223	870,645	66,860	31,56	297,022
BE	COD/ *07D.	Cod	7d (special condition to COD/2A3AX4)	43,500	0	0	0	4,350
BE	COD/ *2A3X4	Cod	4; Union waters of 2a; that part of 3a not covered by the Skagerrak and Kattegat (special condition to COD/07D.).	3,700	0	0	0	0,370
BE	COD/07A.	Cod	7a	26,000	10,325	0	39,71	2,600
BE	COD/07D.	Cod	7d	82,364	3,026	0	3,67	8,236
BE	COD/2A3AX4	Cod	4; Union waters of 2a; that part	1 123,583	726,582	0	64,67	112,358

a Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council (OJ L 354, 28.12.2013, p. 22), quota transfers from 2018 to 2019 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3), with Article 15(9) of Regulation (EU) No 1380/2013 or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009 (OJ L 343, 22.12.2009, p. 1).

b Special condition set out in the Annexes of the relevant fishing opportunities Regulations.

c Out of which 5,280 tonnes may not be transferred pursuant to Article 8(3) of Regulation (EU) 2019/124.

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			of 3a not covered by the Skagerrak and Kattegat					
BE	COD/7XAC34	Cod	7b, 7c, 7e-k, 8, 9 and 10; Union waters of CECAF 34.1.1	59,208	43,437	0	73,36	5,921
BE	HAD/*2AC4.	Haddock	4; Union waters of 2a (special condition to HAD/5BC6A.)	0,454	0	0	0	0,045
BE	HAD/07A.	Haddock	7a	64,467	9,066	0	14,06	6,447
BE	HAD/6B12-14	Haddock	Union and international waters of 6b, 12 and 14	0,011	0	0	0	0,001
BE	HAD/7X7A34	Haddock	7b-k, 8, 9 and 10; Union waters of CECAF 34.1.1	128,303	89,904	0	70,07	12,830
BE	HER/*04B.	Herring	4b (special condition to HER/4CXB7D)	4 874,274	0	0	0	487,427

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BE	HER/*25B-F	Herring	2, 5b north of 62° N (Faroese waters) (special condition to HER/1/2-)	2,000	0	0	0	0,200
BE	HER/2A47DX	Herring	4, 7d and Union waters of 2a	0,065	0	0	0	0,007
BE	HER/4CXB7D	Herring	4c, 7d except Blackwater stock	61,077	59,266	0	97,03	1,811
BE	HKE/*03A.	Hake	3a (special condition to HKE/2AC4-C)	7,100	0	0	0	0,710
BE	HKE/*57-14	Hake	6 and 7; Union and international waters of 5b; international waters of 12 and 14 (special condition to HKE/8ABDE.)	5,444	0	0	0	0,544
BE	HKE/*8ABDE	Hake	8a, 8b, 8d and 8e (special	103,274	0	0	0	10,327

a Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council (OJ L 354, 28.12.2013, p. 22), quota transfers from 2018 to 2019 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3), with Article 15(9) of Regulation (EU) No 1380/2013 or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009 (OJ L 343, 22.12.2009, p. 1).

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