Commission Implementing Regulation (EU) 2018/1496 of 8 October 2018 adding to the 2018 fishing quotas certain quantities withheld in the year 2017 pursuant to Article 4(2) of Council Regulation (EC) No 847/96

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1496

of 8 October 2018

adding to the 2018 fishing quotas certain quantities withheld in the year 2017 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) According to Article 4(2) of Regulation (EC) No 847/96, Member States may ask the Commission, before 31 October of the year of application of a fishing quota allocated to them, to withhold a maximum of 10 % of that quota to be transferred to the following year. The Commission is to add to the relevant quota the quantity withheld.

(2) Council Regulations (EU) 2016/1903[(2)], (EU) 2016/2285[(3)], (EU) 2016/2372[(4)] and (EU) 2017/127[(5)] fix fishing quotas for certain stocks for 2017 and specify which stocks may be subject to the measures provided for in Regulation (EC) No 847/96.

(3) Council Regulations (EU) 2016/2285, (EU) 2017/1970[(6)], (EU) 2017/2360[(7)], and (EU) 2018/120[(8)] fix fishing quotas for certain stocks for 2018 and specify which stocks may be subject to the measures provided for in Regulation (EC) No 847/96.

(4) Certain Member States have requested, before 31 October 2017, pursuant to Article 4(2) of Regulation (EC) No 847/96, that part of their quotas for 2017 for the stocks listed in the Annex to this Regulation be withheld and transferred to the following year. Within the limits indicated in that Regulation, the quantities withheld should be added to the quotas for 2018.

(5) For the purpose of this flexibility exercise, the eligibility of requested stock transfers and the state of exploitation of these stocks have been taken into account. It is considered that they can be subject to the transfer of quota withheld from 2017 to 2018 in line with Article 4(2) of Regulation (EC) No 847/96.

(6) For the stocks listed in the Annex to this Regulation, 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[9] is excluded.

(7) 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 2018 in Regulations (EU) 2016/2285, (EU) 2017/1970, (EU) 2017/2360, and (EU) 2018/120 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, 8 October 2018.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1496. (See end of Document for details)*

ANNEX

Country ID	Stock Id	Species	Zone name	Final Quota 2017 [a] (in tonnes)	Catches 2017 (in tonnes)	Special condition [b]	% final quota catches 2017 (in tonnes)	Transferred quantity (in tonnes)
BE	COD/07A.	Cod	VIIa	5,342	5,117	0	95,82	0,225
BE	COD/07D.	Cod	VIId	96,435	17,498	0	18,14	9,643
BE	COD/2A3X4	Cod	IV; Union waters of IIa; that part of IIIa not covered by the Skagerrak and Kattegat	898,275	696,571	0	77,54	89,827
BE	COD/7XAD34	Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; Union waters of CECAF 34.1.1	109,865	82,143	0	74,76	10,986
BE	HAD/2AC4	Haddock	IV; Union waters of IIa	234,869	30,338	0	12,92	23,487
BE	HAD/5BC6A	Haddock	Union and international waters of Vb and VIa	1,450	0	0	0	0,145
BE	HAD/6B12.	Haddock	Union and international	1,082	0	0	0	0,108

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 2016 to 2017 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3), with Article 5a of Council Regulation (EU) No 1221/2014 (OJ L 330, 15.11.2014, p. 16), 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.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1496. (See end of Document for details)*

			waters of VIb, XII and XIV					
BE	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1	115,625	111,392	0	96,33	4,233
BE	HER/4CXB7D	Herring	IVc, VIId	117,681	13,080	0	11,11	11,768
BE	HKE/2AC4C	Hake	Union waters of IIa and IV	53,590	34,950	0	65,22	5,359
BE	HKE/5712H4	Hake	VI and VII; Union and international waters of Vb; international waters of XII and XIV	265,795	46,006	0	17,31	26,579
BE	HKE/8ABDE	Hake	VIIIa, VIIIb, VIIId and VIIIe	21,965	4,904	0	22,32	2,196
BE	JAX/2A-14	Horse mackerel and associated by-catches	Union waters of IIa, IVa; VI, VIIa-c,VIIe-k, VIIIa, VIIIb, VIIId	1,050	0,330	0	31,43	0,105

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

			and VIIIe; Union and international waters of Vb; international waters of XII and XIV					
BE	LEZ/07.	Megrims	VII	391,423	346,415	14,464	92,20	30,544
BE	LEZ/2AC4-C	Megrims	Union waters of IIa and IV	11,969	0,008	0	0,07	1,197
BE	MAC/2A3A4	Mackerel	IIIa and IV; Union waters of IIa, IIIb, IIIc and Subdivisions 22-32	108,807	107,122	0	98,45	1,685
BE	NEP/07.	Norway lobster	VII	17,571	1,129	0	6,43	1,757
BE	NEP/2AC4-C	Norway lobster	Union waters of IIa and IV	1 401,445	1 114,359	0	79,51	140,144
BE	NEP/8ABDE	Norway lobster	VIIIa, VIIIb, VIIId and VIIIe	5,056	0,175	0	3,46	0,506
BE	PLE/2A3AX4	Plaice	IV; Union waters of IIa; that part of	8 409,159	5 319,257	0	63,26	840,916

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 2016 to 2017 in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3), with Article 5a of Council Regulation (EU) No 1221/2014 (OJ L 330, 15.11.2014, p. 16), 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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