# Council Regulation (EU) 2015/1961 of 26 October 2015 amending Regulation (EU) 2015/104 as regards certain fishing opportunities

## COUNCIL REGULATION (EU) 2015/1961

## of 26 October 2015

## amending Regulation (EU) 2015/104 as regards certain fishing opportunities

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) According to the most recent scientific advice from International Council for the Exploration of the Sea (ICES), herring in ICES division IIIa is within safe biological limits within the meaning of Article 4(18) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council[(1)]. That stock should therefore be identified in Annex I to Council Regulation (EU) 2015/104[(2)] for the purposes of applying the derogation provided for in Article 15(8) of Regulation (EU) No 1380/2013.

(2) The most recent scientific advice from ICES also indicates that a limited increase of the 2015 total allowable catch (TAC) for herring in ICES divisions VIIg, VIIh, VIIj and VIIk is possible and is consistent with the objectives of the common fisheries policy, set out in Article 2(2) of Regulation (EU) No 1380/2013.

(3) The stock of plaice in ICES division VIId was benchmarked in 2015. Now, maximum sustainable yield advice and the most recent scientific advice from ICES indicate a significant increase in the stock. One of the consequences of that increased abundance is that there are significant discards when plaice is caught as by-catch. It is therefore appropriate to increase to the TAC for plaice in ICES divisions VIId and e to a level that would reduce discards without negatively affecting the stock of plaice or other stocks in the same area.

(4) On 30 June 2015, ICES issued advice concerning sprat in Union waters of ICES division IIa and ICES subarea IV covering the period from July 2015 to June 2016. That advice allows for a total amount of wanted catches of 506 000 tones and is mainly due to record high recruitment, new estimations of mortality and updated model inputs.

(5) The TAC for sprat in Union waters of ICES division IIa and ICES subarea IV for the year 2015 is currently fixed at 227 000 tones by Regulation (EU) 2015/104. On the basis of the ICES advice of 30 June 2015, that TAC should be increased to optimise harvesting of that stock.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EU) 2015/1961. (See end of Document for details)*

(6) Since the ICES advice of 30 June 2015 covers the period from July 2015 to June 2016, only part of the maximum amount of catches advised by ICES should be taken into account to increase the fishing opportunities for the year 2015.

(7) TAC for Norway pout in ICES division IIIa and Union waters of division IIa and subarea IV currently applies from 1 January to 31 October 2015. As the ICES advice will be issued only in the last quarter of 2015, the application period of the current total allowable catch for Norway pout in that area should be extended until the end of 2015.

(8) Following a transfer from Norway, Union vessels will be allowed to fish 1 500 tonnes of redfish in Norwegian waters of ICES subareas I and II.

(9) Regulation (EU) 2015/104 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) 2015/104 is amended as follows:

(1) Annex IA is amended as follows:

(a) the fishing opportunities table for herring (*Clupea harengus*) in IIIa is replaced by the following:

| ‘Species: | **Herring[a] *Clupea harengus*** | Zone: | **IIIa(HER/03A.)** |
|---|---|---|---|
| Denmark | 18 034[b] | | |
| Germany | 289[b] | | |
| Sweden | 18 865[b] | | |
| Union | 37 188[b] | | |
| Norway | 5 816 | | |
| Faroe Islands | 600[c] | | |
| TAC | 43 604 | | Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply |

| | |
|---|---|
| **a** | Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm. |
| **b** | Special condition: up to 50 % of this amount may be fished in Union waters of IV (HER/*04-C.). |
| **c** | May only be fished in the Skagerrak (HER/*03AN.).’ |

| | | | |
|---|---|---|---|
| | | | Article 7(3) of this Regulation applies |

**a** Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.

**b** Special condition: up to 50 % of this amount may be fished in Union waters of IV (HER/*04-C.).

**c** May only be fished in the Skagerrak (HER/*03AN.).'

(b) the fishing opportunities table for herring (*Clupea harengus*) in VIIg, VIIh, VIIj and VIIk is replaced by the following:

| 'Species: | **Herring*Clupea harengus*** | Zone: | **VIIg[a], VIIh[a], VIIj[a] and VIIk[a](HER/7G-K.)** |
|---|---|---|---|
| Germany | 213 | | |
| France | 1 185 | | |
| Ireland | 16 591 | | |
| The Netherlands | 1 185 | | |
| United Kingdom | 24 | | |
| Union | 19 198 | | |
| TAC | 19 198 | | Analytical TAC Article 7(3) of this Regulation applies |

**a** This zone is increased by the area bounded:
— to the north by latitude 52° 30′ N,
— to the south by latitude 52° 00′ N,
— to the west by the coast of Ireland,
— to the east by the coast of the United Kingdom.'

(c) the fishing opportunities table for plaice (*Pleuronectes platessa*) in VIId and VIIe is replaced by the following:

| 'Species: | **Plaice*Pleuronectes platessa*** | Zone: | **VIId and VIIe(PLE/7DE.)** |
|---|---|---|---|
| Belgium | 1 018[a] | | |
| France | 3 395[a] | | |
| United Kingdom | 1 810[a] | | |
| Union | 6 223 | | |

**a** In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, under the conditions set out in Chapter II of Title II of this Regulation.'