Council Regulation (EU) No 315/2014 of 24 March 2014 amending Regulation (EU) No 43/2014 as regards certain catch limits

COUNCIL REGULATION (EU) No 315/2014

of 24 March 2014

amending Regulation (EU) No 43/2014 as regards certain catch limits

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) Catch limits for sandeel in Union waters of ICES zones IIa, IIIa and IV were set at zero in Annex IA to Council Regulation (EU) No 43/2014[(1)], pending advice from the International Council for the Exploration of the Sea (ICES).

(2) ICES advice on the stock has been available since 21 February 2014, and it is now possible to set a TAC for sandeel in this area, distributed in seven management areas in order to avoid local depletion.

(3) Fishing opportunities for Union vessels in Norwegian and Faroese waters and for Norwegian and Faroese vessels in Union waters, and the conditions of access to fishery resources in each other's waters, are established each year in the light of consultations on fishing rights held in accordance with the bilateral agreements on fisheries with Norway[(2)] and the Faroe Islands[(3)], respectively. Pending the conclusion of those consultations on the arrangements for 2014, Regulation (EU) No 43/2014 fixed provisional fishing opportunities for certain stocks of blue whiting. On 12 March 2014, the consultations with Norway and the Faroe Islands were concluded, including those related to blue whiting.

(4) Annex IA to Regulation (EU) No 43/2014 should therefore be amended accordingly.

(5) The catch limits provided for in Regulation (EU) No 43/2014 apply from 1 January 2014. The provisions of this Regulation concerning catch limits should therefore also apply from that date. Such retroactive application is without prejudice to the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned were set to zero in the Regulation (EU) No 43/2014. Since the modification of this catch limit has an influence on the economic activities and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EU) No 315/2014. (See end of Document for details)*

Article 1

Amendment to Regulation (EU) No 43/2014

Annex IA to Regulation (EU) No 43/2014 is amended in accordance with the text set out in Annex to this Regulation.

Article 2

Entry into force and application

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 2014.

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

Done at Brussels, 24 March 2014.

For the Council

The President

A.. TSAFTARIS

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EU) No 315/2014. (See end of Document for details)*

ANNEX

Annex IA to Regulation (EU) No 43/2014 is amended as follows:

(a) the entry for Sandeel in Union waters of ICES zones IIa, IIIa and IV is replaced by the following:

‘Species**Sandeel*Ammodytes* spp.**		Zone**Union waters of IIa, IIIa and IV**[a]
Denmark	195 471[b]	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply
United Kingdom	4 273[b]	
Germany	298[b]	
Sweden	7 177[b]	
Union	207 219	
TAC	207 219	

a Excluding waters within six nautical miles of the UK baselines at Shetland, Fair Isle and Foula.

b At least 98 % of landings counted against this quota shall be of sandeel. By-catches of dab, mackerel and whiting to be counted against the remaining 2 % of the quota (OT1/*2A3A4).

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following sandeel management areas, as defined in Annex IID:

Zone**Union waters of sandeel management areas**							
	1 (SAN/234_1)	**2 (SAN/234_2)**	**3 (SAN/234_3)**	**4 (SAN/234_4)**	**5 (SAN/234_5)**	**6 (SAN/234_6)**	**7 (SAN/234_7)**
Denmark	53 769	4 717	132 062	4 717	0	206	0
United Kingdom	1 175	103	2 887	103	0	5	0
Germany	82	7	202	7	0	0	0
Sweden	1 974	173	4 849	173	0	8	0
Union	57 000	5 000	140 000	5 000	0	219	0
Total	57 000	5 000	140 000	5 000	0	219	0’

(b) the entry for blue whiting in Norwegian waters of II and IV is replaced by the following:

Species**Blue whiting*Micromesistius poutassou***		Zone**Norwegian waters of II and IV(WHB/24-N.)**
Denmark	0	Analytical TAC
United Kingdom	0	