Council Regulation (EU) No 24/2014 of 10 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea

COUNCIL REGULATION (EU) No 24/2014

of 10 January 2014

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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) Article 43(3) of the Treaty provides that the Council, on a proposal from the Commission, is to adopt measures on the fixing and allocation of fishing opportunities.

(2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council[(1)] requires that conservation measures be adopted taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF).

(3) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities by fishery or group of fisheries in the Black Sea, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be allocated to Member States in such a way as to ensure relative stability of fishing activities of each Member State for each fish stock or fishery and having due regard to the objectives of the Common Fisheries Policy established in Regulation (EU) No 1380/2013.

(4) TACs should be established on the basis of the available scientific advice, taking into account biological and socioeconomic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of the opinions expressed during the consultation of stakeholders.

(5) The use of fishing opportunities set out in this Regulation is subject to Council Regulation (EC) No 1224/2009[(2)] and in particular to Articles 33 and 34 thereof concerning, respectively, the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by the Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.

(6) In accordance with Article 2 of Council Regulation (EC) No 847/96[(3)], the stocks that are subject to the various measures referred to therein must be identified.

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EU) No 24/2014. (See end of Document for details)*

(7) In order to avoid interruption of fishing activities and to ensure the livelihood of Union fishermen, it is important to open the fisheries concerned in the Black Sea on 1 January 2014. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SCOPE AND DEFINITIONS

Article 1

Subject matter

This Regulation fixes the fishing opportunities for 2014 for certain fish stocks and groups of fish stocks in the Black Sea.

Article 2

Scope

This Regulation shall apply to EU vessels operating in the Black Sea.

Article 3

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(a) ‘GFCM’ means General Fisheries Commission for the Mediterranean;

(b) ‘Black Sea’ means the geographical subarea 29 as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and the Council[(4)] and in Resolution GFCM/33/2009/2;

(c) ‘EU vessel’ means a fishing vessel flying the flag of a Member State and registered in the Union;

(d) ‘total allowable catch (TAC)’ means the quantity that can be taken from each stock each year;

(e) ‘quota’ means a proportion of the TAC allocated to the Union, a Member State or a third country.

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EU) No 24/2014. (See end of Document for details)*

CHAPTER II

FISHING OPPORTUNITIES

Article 4

TACs and allocation

The TACs for EU vessels, the allocation of such TACs among Member States, and the conditions functionally linked thereto, where appropriate, are set out in the Annex.

Article 5

Special provisions on allocations

The allocation of fishing opportunities among Member States as set out in in this Regulation shall be without prejudice to:

(a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;

(b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;

(c) additional landings allowed under Article 3 of Regulation (EC) No 847/96;

(d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;

(e) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.

Article 6

Conditions for landing catches and by-catches

Fish from stocks for which fishing opportunities are fixed by this Regulation shall be retained on board or landed only if:

(a) the catches have been taken by vessels of a Member State having a quota and that quota is not exhausted; or

(b) the catches consist of a share in a Union quota which has not been allocated by quota among Member States, and that Union quota has not been exhausted.