



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 March 2014
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PECHE 148

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EU) No 43/2014 as regards
certain catch limits

COUNCIL REGULATION (EU) No .../2014

of

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 of Regulation (EU) 43/2014¹, 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 Norway² and the Faroe Islands³, 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.

¹ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

² Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

³ Agreement on fisheries between the European Economic Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part (OJ L 226, 29.8.1980, p. 12).

- (4) Annex IA to Regulation (EU) No 43/2014 should therefore be amended accordingly.
- (5) The catch limits provided for in Regulation (EU) 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) 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:

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,

For the Council
The President

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 <i>Ammodytes spp.</i>	Zone: Union waters of IIa, IIIa and IV(1)
Denmark	195 471 ⁽²⁾ Analytical TAC
United Kingdom	4 273 ⁽²⁾ Article 3 of Regulation (EC) No 847/96 shall not apply
Germany	298 ⁽²⁾ Article 4 of Regulation (EC) No 847/96 shall not apply
Sweden	7 177 ⁽²⁾
Union	207 219
TAC	207 219

⁽¹⁾ Excluding waters within six nautical miles of the UK baselines at Shetland, Fair Isle and Foula.

⁽²⁾ 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	2	3	4	5	6	7
	(SAN/234_1)	(SAN/234_2)	(SAN/234_3)	(SAN/234_4)	(SAN/234_5)	(SAN/234_6)	(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 <i>Micromesistius poutassou</i>	Zone: Norwegian waters of II and IV (WHB/24-N.)
Denmark	0 Analytical TAC
United Kingdom	0
Union	0
TAC	1 200 000"

(c) the entry for Blue whiting in Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV is replaced by the following:

"Species: Blue whiting <i>Micromesistius poutassou</i>			Zone: Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV (WHB/1X14)
Denmark	28 325	(1)	Analytical TAC
Germany	11 013	(1)	
Spain	24 013	(1)(2)	
France	19 712	(1)	
Ireland	21 934	(1)	
The Netherlands	34 539	(1)	
Portugal	2 231	(1)(2)	
Sweden	7 007	(1)	
United Kingdom	36 751	(1)	
Union	185 525	(1)(3)	
Norway	100 000		
Faroe Islands	15 000		

TAC 1 200 000

- (1) Special condition: of which up to the following percentage may be fished in Norwegian Economic Zone or in the fishery zone around Jan Mayen (WHB/*NZJM1):
0%
- (2) Transfers of this quota may be effected to VIIIc, IX and X; Union waters of CEECAF 34.1.1. However, such transfers shall be notified in advance to the Commission.
- (3) Special condition: of which up to the following quantity may be fished in Faroese waters (WHB/*05-F.):
25 000"

- (d) the entry for Blue whiting in VIIIc, IX and X; Union waters of CECAF 34.1.1 is replaced by the following:

"Species: Blue whiting <i>Micromesistius poutassou</i>	Zone: VIIIc, IX and X; Union waters of CECAF 34.1.1 (WHB/8C3411)
Spain	24 658
Portugal	6 165
Union	30 823 ⁽¹⁾
TAC	1 200 000

Analytical TAC

⁽¹⁾ Special condition: of which up to the following percentage may be fished in Norwegian EEZ or in the fishery zone around Jan Mayen (WHB/*NZJM2):
0%"

(e) the entry for Blue whiting in Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W is replaced by the following:

"Species: Blue whiting <i>Micromesistius</i> <i>poutassou</i>	Zone: Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W (WHB/24A567)
Norway	0 ⁽¹⁾⁽²⁾
Faroe Islands	25 000 ⁽³⁾⁽⁴⁾
TAC	1 200 000

Analytical TAC

(1) To be counted against Norway's catch limits established under the Coastal States arrangement.

(2) Special condition: the catch in IV shall be no more than the following amount (WHB/*04A-C):

0

This catch limit in IV amounts to the following percentage of Norway's access quota:

0%

(3) To be counted against the catch limits of the Faroe Islands.

(4) Special conditions: may also be fished in VIb (WHB/*06B-C). The catch in IVa shall be no more than 6 250 tonnes (WHB/*04A-C)."
