

COMMISSION SERVICES NON PAPER

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This document serves as a basis for discussion at the Working Party on Internal and External Fisheries Policy. It cannot in any circumstances be regarded as the official position of the Commission. It is intended solely for those to whom it is addressed.

Updates to Commission proposal COM(2016) 698 for a Council Regulation fixing for 2017 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters

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1. AMENDMENTS TO RECITALS AND ARTICLES

Commission proposal is amended as follows:

1. After recital 6, the following recital is inserted:

"Council Regulation (EU) 1342/2008 has been amended, removing Chapter III of the regulation. For this reason, and in line with Commission Delegated Regulation .../2016 establishing a discard plan for certain demersal fisheries in the North Sea and in Union waters of ICES Division IIa, as of 1 January 2017 the landing obligation of cod will apply to catches of cod in ICES Subarea IV, ICES Division IIa and Union waters of ICES Division IIa, in accordance with the Article 1, 3 and the Annex of the Commission Delegated Regulation. For this reason, fishing opportunities for the cod stock should be fixed in accordance with Article 16(2) of Regulation 1380/2013, taking into account the amounts of fish that were discarded in the past and now will have to be landed."

2. Recital 28 is replaced by the following:

"The Inter American Tropical Tuna Commission (IATTC) failed to conclude its 90th Annual Meeting during 2016. The meeting will resume in 2017. IATTC maintained its conservation measures for yellowfin tuna, bigeye tuna, skipjack tuna, oceanic whitetip sharks and Mobulid rays. These measures should continue to be implemented in the law of the Union."

3. In Article 10(6), the year "2016" is replaced by "2017". Paragraphs are renumbered.

2. OVERVIEW TABLE FOR TOP-UPS

| Common name | TAC Unit | Code | ICES landings advice | Top-up as % of ICES landing advice | Top-up in tonnes | TAC proposal including top up | Explanation |
|-----------------------|--|------------|----------------------|------------------------------------|------------------|-------------------------------|---|
| Anglerfish | VIIIabde | ANF/8ABDE | 7 914 | | n/a | 7 914 | 0.4% of fleet covered which have 1% discard rate |
| Anglerfish | VIIIc | ANF/8C3411 | 3 955 | | n/a | 3 955 | No discards identified; no TAC top up as per last year. |
| Haddock | VIIa | HAD/07A | 1 299 | 33.1% | 429 | 1 728 | Differential fleet inclusion; average taken between approach based on vessel number and landings percentage |
| Haddock | Union and international waters of VIb, XII and XIV | HAD/6B1214 | 4 130 | 3.4% | 141 | 4 271 | Top-up figure resulting from the methodology and STECF data. |
| Hake (overall N. TAC) | IIIa | HKE/3A/BCD | 3 371 | n/a | n/a | 3 371 | No discards by fleet segments under LO |
| | IIa and IV | HKE/2AC4-C | 3 928 | n/a | n/a | 3 928 | No discards by fleet segments under LO |
| | Vb, VI, VII, XII and XIV | HKE/571214 | 62 729 | 0.71% | 445 | 63 174 | Top-up figure resulting from the methodology and STECF data. Main discarding fleets not included in LO |
| | VIIIabde | HKE/8ABDE | 41 837 | 7.1% | 2 971 | 44 808 | Top-up figure resulting from the methodology and STECF data. |
| Hake | VIIIc, IX and X; Union waters of CECAF 34.1.1 | HKE/8C3411 | 6 838 | 4.58% | 313 | 7 151 | Top-up figure resulting from the methodology and STECF data. |

| Common name | TAC Unit | Code | ICES landings advice | Top-up as % of ICES landing advice | Top-up in tonnes | TAC proposal including top up | Explanation |
|-----------------------|---|------------|----------------------|------------------------------------|------------------|-------------------------------|---|
| Megrim | Union and international waters of Vb; VI; | LEZ/56-14 | 5 242 | 8.4% | 440 | 5 682 | Megrim caught as part of North west gadoid fishery fishery; Top-up figure resulting from the methodology and STECF data. |
| Norway lobster | VII | NEP/07 | 19 241 | 10.15% | 1 953 | 21 194 | Top-up figure resulting from the methodology , <i>de minimis</i> applied per FU |
| Norway lobster | VIIIc | NEP/08C | Zero TAC | | n/a | 0 | Zero TAC advice |
| Norway lobster | Union waters of IIa and IV | NEP/2AC4-C | 13 222 | 0.29% | 38 | 13 260 | Top-up figure resulting from the methodology , <i>de minimis</i> applied per FU ; top ups for FU's where discard rate higher than de minimis. |
| Norway lobster | VI; Union and international waters of Vb | NEP/5BC6 | 16 317 | 0.55% | 90 | 16 407 | Top-up figure resulting from the methodology , <i>de minimis</i> applied per FU ; top ups for FU's where discard rate higher than de minimis. |
| Norway lobster | VIIIabde | NEP/8ABDE | pm | | n/a | pm | Survivability exemption (discarding will continue) so no top-up |
| Norway lobster | IX and X; Union waters of CECAF 34.1.1 | NEP/9/3411 | 336 | | n/a | 336 | Survivability exemption (discarding will continue) so no top-up |
| Norway lobster | IIIa; Union waters of Subdivisions 22-32 | NEP/3A/BCD | 12 715 | | n/a | 12 715 | <i>de minimis</i> exemption in place for all discards, ICES landings advice applies. |

| Common name | TAC Unit | Code | ICES landings advice | Top-up as % of ICES landing advice | Top-up in tonnes | TAC proposal including top up | Explanation |
|--------------------|---------------------------|------------|----------------------|------------------------------------|------------------|-------------------------------|---|
| Plaice | VIII,IX,X,CECAF 34.1.1 | PLE/8/3411 | | | n/a | 395 | Stock included in list for which TACs are rolled over, discards are unknown |
| Plaice | VI | PLE/56-14 | 658 | | n/a | 658 | Stock included in list for which TACs are rolled over, discards are unknown |
| Plaice | IIIa Kattegat | PLE/03AS | 2 065 | 22.2% | 458 | 2 523 | Top-up figure resulting from the methodology and STECF data. |
| Pollack | VII | POL/07 | 10 796 | 0.1% | 5 | 10 801 | LO applies in VIId and e only; overall ICES discards are 10t. |
| Common sole | VIId | SOL/07D | 2 257 | 4.35% | 98 | 2 355 | Top-up figure resulting from the methodology and STECF data. |
| Common sole | VIIe | SOL/07E | 1 178 | | n/a | 1 178 | Minimal discards by fleet under the LO, and <i>de minimis</i> applies |
| Common Sole | VIIfg | SOL/7FG | 782 | 0.4% | 3 | 785 | Top-up figure resulting from the methodology and STECF data. |
| Common Sole | IIIa | SOL/3A/BCD | 534 | 3.2% | 17 | 551 | Top-up figure resulting from the methodology and STECF data. |

3. AMENDMENTS TO APPLY TOP-UPS TO FISHING OPPORTUNITIES TABLES IN ANNEX IA

The corresponding TAC tables in Annex IA of Commission proposal are replaced by the TAC tables below. This concerns TAC tables subject to quota uplifts to take into account that the landing obligation applies to certain demersal fisheries.

| | | |
|--|----------------------|---|
| Species: Megrim <i>Lepidorhombus spp.</i> | | Zone: Union and international waters of Vb; VI; international waters of XII and XIV (LEZ/56-14) |
| Spain | 646 | Analytical TAC |
| France | 2 518 | Article 7(2) of this Regulation applies |
| Ireland | 736 | |
| United Kingdom | 1 782 | |
| Union | 5 682 | |
| TAC | 5 682 | |
| Species: Haddock <i>Melanogrammus aeglefinus</i> | | Zone: Union and international waters of VIb, XII and XIV (HAD/6B1214) |
| Belgium | 10 | Analytical TAC |
| Germany | 11 | |
| France | 471 | |
| Ireland | 336 | |
| United Kingdom | 3 443 | |
| Union | 4 271 | |
| TAC | 4 271 | |
| Species: Haddock <i>Melanogrammus aeglefinus</i> | | Zone: VIIa (HAD/07A.) |
| Belgium | 27 | Analytical TAC |
| France | 125 | Article 7(2) of this Regulation applies |
| Ireland | 748 | |
| United Kingdom | 828 | |
| Union | 1 728 | |
| TAC | 1 728 | |
| Species: Hake <i>Merluccius merluccius</i> | | Zone: IIIa; Union waters of Subdivisions 22-32 (HKE/3A/BCD) |
| Denmark | 3 107 ⁽¹⁾ | Analytical TAC |
| Sweden | 264 ⁽¹⁾ | Article 7(2) of this Regulation applies |
| Union | 3 371 | |
| TAC | 3 371 ⁽²⁾ | |
| (1) Transfers of this quota may be effected to Union waters of IIa and IV. However, such transfers shall be notified in advance to the Commission. | | |
| (2) Within the following overall TAC for the northern stock of hake: | | |
| 115 281 | | |

| | | | |
|-----------------|--|---|--|
| Species: | Hake <i>Merluccius merluccius</i> | Zone: | Union waters of IIa and IV (HKE/2AC4-C) |
| Belgium | 56 ⁽¹⁾ | Analytical TAC | |
| Denmark | 2 271 ⁽¹⁾ | Article 7(2) of this Regulation applies | |
| Germany | 261 ⁽¹⁾ | | |
| France | 503 ⁽¹⁾ | | |
| The Netherlands | 130 ⁽¹⁾ | | |
| United Kingdom | 707 ⁽¹⁾ | | |
| Union | 3 928 ⁽¹⁾ | | |
| TAC | 3 928 ⁽²⁾ | | |
| (1) | Not more than 10 % of this quota may be used for by-catch in IIIa (HKE/*03A.). | | |
| (2) | Within the following overall TAC for the northern stock of hake: | | |
| | 115 281 | | |

| | | | |
|-----------------|--|--|--|
| Species: | Hake <i>Merluccius merluccius</i> | Zone: | VI and VII; Union and international waters of Vb; international waters of XII and XIV (HKE/571214) |
| Belgium | 581 ⁽¹⁾ | Analytical TAC | |
| Spain | 18 623 | Article 7(2) of this Regulation applies | |
| France | 28 757 ⁽¹⁾ | Article 12(1) of this Regulation applies | |
| Ireland | 3 485 | | |
| The Netherlands | 375 ⁽¹⁾ | | |
| United Kingdom | 11 353 ⁽¹⁾ | | |
| Union | 63 174 | | |
| TAC | 63 174 ⁽²⁾ | | |
| (1) | Transfers of this quota may be effected to Union waters of IIa and IV. However, such transfers shall be notified in advance to the Commission. | | |
| (2) | Within the following overall TAC for the northern stock of hake: | | |
| | 115 281 | | |

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

VIIIa, VIIIb, VIIIc and VIId (HKE/*8ABDE)

| | |
|-----------------|-------|
| Belgium | 75 |
| Spain | 3 003 |
| France | 3 003 |
| Ireland | 376 |
| The Netherlands | 38 |
| United Kingdom | 1 690 |
| Union | 8 186 |

| | | | |
|-----------------|--------------------------------------|-------|--|
| Species: | Hake <i>Merluccius merluccius</i> | Zone: | VIIIa, VIIIb, VIIIc and VIIf (HKE/8ABDE.) |
| Belgium | 20 | (1) | Analytical TAC |
| Spain | 13 787 | | Article 7(2) of this Regulation applies |
| France | 30 961 | | |
| The Netherlands | 40 | (1) | |
| Union | 44 808 | | |

TAC 44 808 ⁽²⁾

(1) Transfers of this quota may be effected to IV and Union waters of IIa. However, such transfers shall be notified in advance to the Commission.

(2) Within the following overall TAC for the northern stock of hake:

115 281

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

VI and VII; Union and international waters of Vb; international waters of XII and XIV (HKE/*57-14)

| | |
|-----------------|--------|
| Belgium | 4 |
| Spain | 3 994 |
| France | 7 188 |
| The Netherlands | 12 |
| Union | 11 198 |

| | | | |
|----------|------------------------------|---|--|
| Species: | Hake | Zone: | VIIIc, IX and X; Union waters of CECAF 34.1.1 (HKE/8C3411) |
| | <i>Merluccius merluccius</i> | | |
| Spain | 4 576 | Analytical TAC | |
| France | 439 | Article 7(2) of this Regulation applies | |
| Portugal | 2 136 | | |
| Union | 7 151 | | |
| TAC | 7 151 | | |

| Species: | Norway lobster <i>Nephrops norvegicus</i> | Zone: | Union waters of IIa and IV (NEP/2AC4-C) |
|-----------------|--|----------------|--|
| Belgium | 694 | Analytical TAC | |
| Denmark | 694 | | |
| Germany | 10 | | |
| France | 20 | | |
| The Netherlands | 357 | | |
| United Kingdom | 11 485 | | |
| Union | 13 260 | | |
| TAC | 13 260 | | |

| | |
|---|--|
| Species: Norway lobster <i>Nephrops norvegicus</i> | Zone: VI; Union and international waters of Vb (NEP/5BC6.) |
| Spain 33 | Analytical TAC |
| France 133 | Article 7(2) of this Regulation applies |
| Ireland 222 | |
| United Kingdom 16 019 | |
| Union 16 407 | |
| TAC 16 407 | |

| | |
|---|--|
| Species: Norway lobster <i>Nephrops norvegicus</i> | Zone: VII (NEP/07.) |
| Spain 1 272 | Analytical TAC |
| France 5 154 | Article 12(1) of this Regulation applies |
| Ireland 7 816 | |
| United Kingdom 6 952 | |
| Union 21 194 | |
| TAC 21 194 | |

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zone:

Functional Unit 16 of ICES Subarea VII (NEP/*07U16):

| | |
|----------------|-------|
| Spain | 935 |
| France | 586 |
| Ireland | 1 124 |
| United Kingdom | 455 |
| Union | 3 100 |

| | |
|---|--|
| Species: Plaice <i>Pleuronectes platessa</i> | Zone: Kattegat (PLE/03AS.) |
| Denmark 2 246 | Analytical TAC |
| Germany 25 | Article 3 of Regulation (EC) No 847/96 shall not apply |
| Sweden 252 | Article 4 of Regulation (EC) No 847/96 shall not apply |
| Union 2 523 | Article 7(2) of this Regulation applies |
| TAC 2 523 | |

| | | | |
|-----------------|---|---|---|
| Species: | Pollack <i>Pollachius pollachius</i> | Zone: | VII (POL/07.) |
| Belgium | 336 ⁽¹⁾ | Precautionary TAC Article 12(1) of this Regulation applies | |
| Spain | 20 ⁽¹⁾ | | |
| France | 7 737 ⁽¹⁾ | | |
| Ireland | 825 ⁽¹⁾ | | |
| United Kingdom | 1 883 ⁽¹⁾ | | |
| Union | 10 801 ⁽¹⁾ | | |
| TAC | 10 801 | | |
| (1) | Special condition: of which up to 2 % may be fished in: VIIla, VIIlb, VIIId and VIIle (POL/*8ABDE). | | |
| | | | |
| Species: | Common sole <i>Solea solea</i> | Zone: | IIIa; Union waters of Subdivisions 22-32 (SOL/3A/BCD) |
| Denmark | 463 | Analytical TAC | |
| Germany | 27 ⁽¹⁾ | | |
| The Netherlands | 44 ⁽¹⁾ | | |
| Sweden | 17 | | |
| Union | 551 | | |
| TAC | 551 | | |
| (1) | Quota may be fished in Union waters of IIIa, Subdivisions 22-32 only. | | |
| | | | |
| Species: | Common sole <i>Solea solea</i> | Zone: | VIIId (SOL/07D.) |
| Belgium | 634 | Analytical TAC | |
| France | 1 268 | | |
| United Kingdom | 453 | | |
| Union | 2 355 | | |
| TAC | 2 355 | | |
| | | | |
| Species: | Common sole <i>Solea solea</i> | Zone: | VIIIf and VIIg (SOL/7FG.) |
| Belgium | 490 | Analytical TAC Article 7(2) of this Regulation applies | |
| France | 49 | | |
| Ireland | 25 | | |
| United Kingdom | 221 | | |
| Union | 785 | | |
| TAC | 785 | | |

4. AMENDMENTS TO ANNEX IC:

The fishing opportunities table for Witch flounder in NAFO 3NO is replaced by the following:

| Species: Witch flounder <i>Glyptocephalus cynoglossus</i> | | Zone: NAFO 3NO (WIT/N3NO.) |
|--|-------|--|
| Estonia | 98 | Analytical TAC |
| Latvia | 98 | Article 3 of Regulation (EC) No 847/96 shall not apply |
| Lithuania | 98 | Article 4 of Regulation (EC) No 847/96 shall not apply |
| Union | 295 | |
| TAC | 2 225 | |