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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EU) 2019/1838 as regards certain fishing opportunities for 2020 in the Baltic Sea and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in 2020 in Union and non-Union waters

COUNCIL REGULATION (EU) 2020/...

of ...

**amending Regulation (EU) 2019/1838 as regards
certain fishing opportunities for 2020 in the Baltic Sea
and amending Regulation (EU) 2020/123 as regards
certain fishing opportunities in 2020 in Union and non-Union waters**

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) Council Regulation (EU) 2019/1838¹ fixes the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2020. It establishes spawning closure periods for the two Baltic cod stocks with a derogation for fishing vessels of less than 12 meters length overall that fish with certain passive gears. Fishing with drifting lines is excluded from the derogation. However, it is considered that the use of drifting lines should be allowed and should thus be included in the derogation, as in the previous fishing opportunities regulations. Regulation (EU) 2019/1838 should therefore be amended accordingly.
- (2) Council Regulation (EU) 2020/123² fixes for 2020 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.

¹ Council Regulation (EU) 2019/1838 of 30 October 2019 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2019/124 as regards certain fishing opportunities in other waters (OJ L 281, 31.10.2019, p. 1).

² Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).

- (3) In the report of its plenary session of 16-20 March 2020, the Scientific, Technical and Economic Committee for Fisheries (STECF) concluded that, for whiting (*Merlangius merlangus*) by-catches in the Celtic Sea, the 100 mm diamond mesh cod-end with a 160 mm square mesh panel is the most selective of the four different cod-end designs listed in the remedial measures set out in point (a) of Article 13(1) of Regulation (EU) 2020/123 fixing fishing opportunities for 2020. The STECF did not have any reliable estimates for cod (*Gadus morhua*) selectivity in the 100 mm diamond mesh cod-end with a 160 mm square mesh panel. Therefore, to ensure the recovery of the whiting stock concerned, it is appropriate to continue to allow the use of this cod-end and square mesh panel combination. In order to ensure the recovery of Celtic Sea cod, the 100 mm diamond mesh cod-end with a 160 mm square mesh panel should continue being used with the raised fishing line.
- (4) The fishing mortality (F) for North sea cod (*Gadus morhua*) has increased since 2016 and is now estimated to be above the fishing mortality reference point (F_{lim}), i.e. a reference point which in the long term will result in an average stock size at biomass limit reference point (B_{lim}). Fishing at levels above F_{lim} will result in a decline in the stock to levels below B_{lim} . Consequently, the spawning-stock biomass (SSB) has decreased since 2015 and is estimated to be below B_{lim} . B_{lim} is the reference point provided for in the best available scientific advice, in particular by International Council for the Exploration of the Sea (ICES), below which there may be reduced reproductive capacity. Moreover, recruitment has remained poor since 1998, and was exceptionally poor in 2016 and 2018.

- (5) In accordance with Article 7(2) of Regulation (EU) 2018/973 of the European Parliament and of the Council¹ establishing the North Sea multiannual plan, where scientific advice indicates that the SSB of any of the stocks referred to in Article 1(1) of that Regulation is below the B_{lim} , further remedial measures are to be adopted to ensure rapid return of the stock to levels above the level capable of producing maximum sustainable yield (MSY). In particular, those remedial measures may include the suspension of the targeted fishery for the stock concerned and the adequate reduction of fishing opportunities for those stocks or other stocks in the fisheries having by-catches of cod, or both.
- (6) In the absence of a Joint Recommendation from the regional group of the North Sea Member States for longer term measures, the Commission is proposing to introduce additional technical measures functionally linked to the 2020 fishing opportunities in accordance with commitments made between the European Union and Norway, which are consistent with the joint statement of the European Commission and the Council.

¹ Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 (OJ L 179, 16.7.2018, p. 1).

- (7) In order to reduce catches of the stocks for which by-catch total allowable catch (TAC) are set, fishing opportunities for the fisheries in which fish from those stocks are caught should be set at levels that help the biomass of vulnerable stocks to recover to sustainable levels. Technical measures that are functionally linked to fishing opportunities should also be established. In its mixed fisheries overview for the North Sea, the ICES estimates that in the absence of any changes to fishing patterns and in light of illegal discarding, catches of cod are estimated to be approximately 40 000 tonnes. In order to minimise the risk of catches significantly exceeding the agreed TAC, additional measures to further limit catches are required.
- (8) In accordance with the procedure provided for in the agreements or protocols on fisheries relations with Norway¹ the Union has held consultations on fishing rights with Norway. The Parties have agreed to recommend to their respective authorities the introduction of additional remedial measures to supplement the TAC already agreed in December 2019, so as to provide additional protection for both juvenile and adult cod on a temporary basis during 2020. Those measures should include seasonal closures for the protection of juveniles, restricted areas with specific access conditions and the introduction of new fishing gear-based measures.

¹ Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

- (9) On 9 March 2020, ICES issued advice for catches of Northern prawn (*Pandalus borealis*) in ICES divisions 3a and 4a East (Skagerrak, Kattegat, and the northern North Sea in the Norwegian Deep). On the basis of that advice and following consultations with Norway, it is appropriate to fix the Union quota for Northern prawn in ICES division 3a at 3 266 tonnes, in line with the MSY.
- (10) According to the ICES advice of 14 April 2020, catches of sprat (*Sprattus sprattus*) in Union waters of ICES subarea 4 (the North Sea) and in ICES division 3a (Skagerrak and Kattegatt) should be no more than 207 807 tonnes for the period from 1 July 2020 to 30 June 2021. The fishing opportunities for sprat should therefore be set at 169 778 tonnes in Union waters of ICES division 2a and ICES subarea 4, and at 38 029 tonnes in ICES division 3a for that period, in line with the MSY.
- (11) The TAC for anchovy (*Engraulis encrasicolus*) in ICES subareas 9 and 10 and Union waters of the Fishery Committee for the Eastern Central Atlantic (CECAF) 34.1.1 for the period from 1 July 2020 to 30 June 2021 has been set at zero, pending the scientific advice for that period. ICES will issue its advice for that stock at the end of June 2020. In order to ensure that fishing activity may continue until the TAC is set on the basis of the latest scientific advice, a provisional TAC of 4 018 tonnes, based on the catches in the third quarter of 2019, should be established. That provisional TAC should be amended in line with the ICES scientific advice.

- (12) In the Agreed Record of Fisheries Consultations between Norway and the European Union for 2020 of 19 December 2019, the Parties agreed that, in addition to the agreed 50 000 tonnes of herring (*Clupea harengus*) that Norway is allowed to fish from its quota in Union waters of 4a and 4b and that the Union can fish from its quota in Norwegian waters south of 62° N, an additional quantity of maximum 10 000 tonnes will be granted if such an increase is called for by Norway or by the Union. That agreement should be implemented in Union law.
- (13) At its 2020 annual meeting held from 14 to 18 February 2020, the South Pacific Regional Fisheries Management Organisation (SPRFMO) reviewed the conservation measure for jack mackerel (*Trachurus murphyi*), for which the fishing opportunities had not yet been determined in Regulation (EU) 2020/123. The applicable measures should be implemented in Union law.
- (14) At its annual meeting held from 23 to 27 September 2019, the Northwest Atlantic Fisheries Organisation (NAFO), decided to close the fishery for splendid alfonsino (*Beryx splendens*) in NAFO subarea 6 due to a possible depletion of the stock. That measure should therefore be implemented in Union law and the list of prohibited species should therefore be amended accordingly.
- (15) The International Commission for the Conservation of Atlantic Tunas (ICCAT) Recommendation 16-05, which decreased the TAC for Mediterranean swordfish (*Xiphias gladius*) in 2020, has already been implemented in Union law. However, in January 2020, the ICCAT Secretariat issued guidelines for the calculation of the TAC for Mediterranean swordfish. As a result, the Union quota needs to be updated accordingly.

- (16) At its 2019 annual meeting held from 17 to 21 June 2019, the Indian Ocean Tuna Commission (IOTC) adopted new catch limits for yellowfin tuna (*Thunnus albacares*) that do not affect the Union catch limits in the framework of IOTC. However, it reduced possibilities for using fish aggregating devices (FADs), supply vessels as well as instrumented buoys. Therefore, further changes should be made to Regulation (EU) 2020/123 to ensure that the implementing rules properly reflect the decisions taken by the Contracting Parties to the IOTC.
- (17) In July 2019, the 6th Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA) decided on bottom fishing measures and effort limitations in the Agreement area. Those measures were implemented in Union law by Regulation (EU) 2020/123. However, further changes should be made to ensure that the implementing rules properly reflect the decisions taken by SIOFA regarding limits to bottom fishing.
- (18) Fishing licenses are granted by the Commission to vessels flying the Venezuelan flag in order to allow them to fish for snapper in European waters off the coast of French Guiana. Regulation (EU) 2020/123 provides for granting of 45 licenses. In order to issue those authorisations, proof is to be provided that a valid contract has been concluded between the shipowner and a processing company located in the Department of French Guiana. During the authorisation process in between two years, continuity of fishing operations should be allowed under certain conditions.

- (19) Vessels fishing for sandeels using certain gears in ICES subdivisions 2a, 3a and 4 should be subject to prohibition periods from 1 August to 31 December 2020 and from 1 January to 31 March 2021.
- (20) Regulation (EU) 2020/123 should therefore be amended accordingly.
- (21) The catch limits provided for in Regulation (EU) 2019/1838 and Regulation (EU) 2020/123 apply from 1 January 2020. The provisions introduced by this Regulation concerning catch limits should therefore enter into force as soon as possible. With respect to changes in the TAC levels, the additional derogation in the Baltic Sea and the continued permission of the use of a gear in the Celtic Sea, the provisions should apply from 1 January 2020. Since the fishing opportunities concerned have not yet been exhausted or are increased and more permissive rules are introduced by this Regulation, the principles of legal certainty and protection of legitimate expectations are not affected by the retroactive application of this Regulation.
- (22) The United Kingdom has been consulted in accordance with Article 130(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community,¹

HAS ADOPTED THIS REGULATION:

¹ OJ L 29, 31.1.2020, p. 7.

Article 1
Amendment of Regulation (EU) 2019/1838

The Annex to Regulation (EU) 2019/1838 is amended in accordance with Annex I to this Regulation.

Article 2
Amendment of Regulation (EU) 2020/123

Regulation (EU) 2020/123 is amended as follows:

- (1) In Article 3, the following points are added:
- “(j) ‘instrumented buoy’ means a buoy clearly marked with a unique reference number allowing identification of its owner and equipped with a satellite tracking system to monitor its position;
 - (k) ‘operational buoy’ means any instrumented buoy, previously activated, switched on and deployed at sea on a drifting FAD or log, which transmits positions and any other available information such as echo-sounder estimates.”.

- (2) The following article is inserted:

“Article 12a

Closed fishing seasons for sandeels

Commercial fishing for sandeels with demersal trawl, seine or similar towed gears with a mesh size of less than 16 mm shall be prohibited in ICES divisions 2a, 3a and ICES subarea 4 from 1 August to 31 December 2020 and from 1 January to 31 March 2021.”.

- (3) The fourth indent of point (a) of Article 13(1) is replaced by the following:

“– 100 mm with 160 mm square-mesh panel;”.

- (4) Article 14 is replaced by the following:

“Article 14

Remedial measures for cod in the North Sea

1. The closed areas to fishing, except with pelagic gear (purse seines and trawls), and the periods during which the closures apply are set out in Annex IV.

2. Vessels fishing with bottom trawls and seines with minimum mesh size of at least 70 mm in 4a and 4b or at least 90 mm in 3a, and longlines¹ shall be prohibited from fishing in Union waters of ICES division 4a, North of latitude 58° 30' 00" N and South of latitude 61° 30' 00" N and in Union waters of ICES divisions 3a.20 (Skagerrak), 4a and 4b, North of latitude 57° 00' 00" N and East of longitude 5 00' 00" E.
3. By way of derogation from paragraph 2, fishing vessels referred to in paragraph 2 may fish in the areas referred to in paragraph 1 provided that they fulfil at least one of the following criteria:
 - (a) the percentage of cod catches does not exceed 5 % of the total catches per fishing trip; vessels with cod catches that have not exceeded 5 % of their total catches in the period 2017-2019 are presumed to comply with this criterium provided that they continue to use the same gear which they used in that period; this presumption may be rebutted;
 - (b) a regulated and highly selective bottom trawl or seine is used, which results, according to a scientific study, in at least a 30 % reduction of cod catches compared to vessels fishing with the baseline mesh size for towed gears as specified in point 1.1 of Part B of Annex V of Regulation (EU) 2019/1241; such studies may be evaluated by STECF; in the case of a negative evaluation by STECF, these gears shall no longer be considered as valid for use in the areas defined in paragraph 2 of this Article;

¹ Gear codes: OTB, OTT, OT, TBN, TBS, TB, TX, PTB, SDN, SSC, SX, LL, LLS.

- (c) for vessels operating with bottom trawls and seines with mesh sizes equal to or larger than 100 mm (TR1), the following highly selective gears are used:
- belly trawls with a minimum belly mesh size of 600 mm;
 - raised fishing line (0,6 m);
 - horizontal separating panel with large mesh escape panel;
- (d) for vessels operating with bottom trawls and seines with mesh sizes equal to or larger than 70 mm in 4a and 90 mm in 3a and less than 100 mm (TR2), the following highly selective gears are used:
- horizontal sorting grid with maximum 50 mm bar spacing separating flatfish and roundfish, with an unblocked fish outlet for roundfish;
 - seltra panel with 300 mm square-mesh size;
 - sorting grid with maximum 35 mm bar spacing, with an unblocked fish outlet;

(e) vessels are subject to a national cod avoidance plan to sustain cod catches in line with the fishing mortality corresponding to the fishing opportunities set, based on scientific advice levels, through spatial or technical measures, or a combination thereof; such plans should be assessed no later than two months following implementation, by STECF in the case of Member States, and by their relevant national scientific body for third countries and where deemed necessary, further revised if such assessments consider that the objective of the plan will not be met.

4. Member States shall enhance monitoring, control and surveillance of vessels referred to in paragraph 2 to control compliance with the conditions specified in points (a) to (e) of paragraph 3.”.

(5) In Article 16(1) the following point is inserted:

“(o) splendid alfonsino (*Beryx splendens*) in NAFO subarea 6.”.

(6) Article 27 is replaced by the following:

“*Article 27*

Drifting FADs and supply vessels

1. Drifting FADs shall be equipped with instrumented buoys. The use of any other buoys, such as radio buoys is prohibited.
2. A purse seiner shall not follow more than 300 operational buoys at any one time.

3. The maximum number of instrumented buoys that may be acquired annually for each purse seine vessel is 500. No purse seine vessel shall have more than 500 instrumented buoys (buoy in stock and operational buoy) at any time.
4. The maximum number of supply vessels shall be two supply vessels in support of not less than five purse seiners, all flying the flag of a Member State. This provision shall not apply to Member States using only one supply vessel.
5. A single purse seiner shall not be supported by more than one single supply vessel flying the flag of a Member State at any time.
6. The Union shall not register new or additional supply vessels in the IOTC record of authorised vessels.”.

(7) Article 46 is replaced by the following:

“Article 46

Limits to bottom fishing

Member States shall ensure that vessels flying their flag that are fishing in the SIOFA Agreement Area:

- (a) limit their annual bottom fishing effort and catch to their average annual level for those years where their vessels were active in the SIOFA Agreement Area, over a representative period for which data declared to the Commission exists;

- (b) do not expand the spatial distribution of bottom fishing effort, excluding line and trap methods, beyond areas fished in recent years;
- (c) are not authorised to fish in the interim protected areas of Atlantis Bank, Coral, Fools Flat, Middle of What, Walter's Shoal, as defined in Annex IK, except with line and traps methods and on condition of having a scientific observer on board at all times while fishing in those areas.”.

(8) Article 51 is replaced by the following:

“Article 51

Closed fishing seasons

Third-country vessels which are authorised to fish for sandeels and associated by-catches in Union waters of ICES subarea 4 shall not fish for sandeels in that subarea with demersal trawl, seine or similar towed gear with a mesh size of less than 16 mm in the following periods:

- (a) from 1 August to 31 December 2020;
- (b) from 1 January to 31 March 2021.”.

(9) Annexes IA, ID, IH, and V are amended in accordance with Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 1 and point (3) of Article 2 and point (9) of Article 2 in conjunction with points 1(a) and (e) and points 2 and 3 of Annex II shall apply from 1 January 2020.

Points (1), (2) and (5) to (8) of Article 2 and point (9) of Article 2 in conjunction with points 1(b), (c) and (d) and point 4 of Annex II shall apply from 1 July 2020.

Point (4) of Article 2 shall apply from 15 July 2020.

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

Done at Brussels,

For the Council

The President

ANNEX I

The Annex to Regulation (EU) 2019/1838 is amended as follows:

- (1) In the fishing opportunities table for cod in ICES subdivisions 25-32, footnote 2 is replaced by the following:

“(2) In subdivisions 25 and 26 it shall be prohibited to fish this quota from 1 May to 31 August.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be undertaken provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

By way of derogation from the first paragraph, that closure period shall not apply to Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, handlines and jigging equipment or other passive gear in areas where the water depth is less than 20 meters according to the coordinates on the official sea chart issued by the competent national authorities. Masters of those fishing vessels shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.”;

- (2) In the fishing opportunities table for cod in ICES subdivisions 22-24, footnotes 1 and 2 are replaced by the following:

“(1) In subdivision 24 exclusively for by-catches. No directed fisheries are permitted under this quota in subdivision 24.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

By way of derogation from the first paragraph, fishing this quota in subdivision 24 shall be allowed for Union fishing vessels of less than 12 meters length overall fishing with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, handlines and jigging equipment or other passive gear in areas up to six nautical miles measured from the baselines where the water depth is less than 20 meters according to the coordinates on the official sea chart issued by the competent national authorities. Masters of those fishing vessels shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.

- (2) It shall be prohibited to fish this quota in subdivisions 22 and 23 from 1 February to 31 March and in subdivision 24 from 1 June to 31 July.

By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be undertaken provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

By way of derogation from the first paragraph, that closure period shall not apply to Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines, handlines and jigging equipment or other passive gear in areas where the water depth is less than 20 meters according to the coordinates on the official sea chart issued by the competent national authorities. Masters of those fishing vessels shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.”.

ANNEX II

Annexes IA, ID, IH and V to Regulation (EU) 2020/123 are amended as follows:

(1) Annex IA is amended as follows:

- (a) the fishing opportunities table for herring in Union and Norwegian waters of 4 north of 53° 30' N, is replaced by the following:

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| | | |
|-----------------|--|---|
| Species: | Herring ⁽¹⁾ <i>Clupea harengus</i> | Zone: Union and Norwegian waters of 4 north of 53° 30' N (HER/4AB.) |
| Denmark | 59 468 | Analytical TAC |
| Germany | 39 404 | Article 7(2) of this Regulation applies |
| France | 20 670 | |
| The Netherlands | 51 717 | |
| Sweden | 3 913 | |
| United Kingdom | 55 583 | |
| Union | 230 755 | |
| Faroe Islands | 250 | |
| Norway | 111 652 ⁽²⁾ | |
| TAC | 385 008 | |

(1) Catches of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm.

- (2) Catches taken within this quota are to be deducted from Norway's share of the TAC. Within the limit of this quota, no more than the quantity given below may be taken in Union waters of 4a and 4b (HER/*4AB-C). An additional quantity of maximum 10 000 tonnes will be granted if such an increase is called for by Norway.
-

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken by the Union in Norwegian waters south of 62° N. An additional quantity of maximum 10 000 tonnes will be granted if such an increase is called for by the European Union.

Norwegian waters south of 62° N (HER/*04N-)

50 000

”.

- (b) the fishing opportunities table for anchovy in ICES subareas 9 and 10; Union waters of CECAF 34.1.1 is replaced by the following:

“

| | | | |
|---|--|-------------------|--|
| Species: | Anchovy <i>Engraulis encrasicolus</i> | Zone: | 9 and 10; Union waters of CECAF 34.1.1 (ANE/9/3411) |
| Spain | 1 922 (1) | Precautionary TAC | |
| Portugal | 2 096 (1) | | |
| Union | 4 018 (1) | | |
| TAC | 4 018 (1) | | |
| (1) The quota may only be fished from 1 July 2020 to 30 September 2020. | | | |

”.

- (c) the fishing opportunities table for Northern prawn in ICES division 3a is replaced by the following:

“

| | | | |
|----------|--|----------------|------------------|
| Species: | Northern prawn <i>Pandalus borealis</i> | Zone: | 3a (PRA/03A.) |
| Denmark | 2 123 | Analytical TAC | |
| Sweden | 1 143 | | |
| Union | 3 266 | | |
| TAC | 6 115 | | |

”.

- (d) the following fishing opportunities table for sprat and associated by-catches in Union waters of ICES division 3a is inserted:

“

| | | | |
|----------|--|----------------|-------------|
| Species: | Sprat and associated by-catches | Zone: | 3a |
| | <i>Sprattus sprattus</i> | | (SPR/03A.2) |
| Denmark | 25 482 (1)(2) | Analytical TAC | |
| Germany | 53 (1)(2) | | |
| Sweden | 9 642 (1)(2) | | |
| Union | 35 177 (1)(2) | | |
| TAC | 38 029 (2) | | |
| (1) | Up to 5 % of the quota may consist of by-catches of whiting and haddock (OTH/*03A.2). By-catches of whiting and haddock counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota. | | |
| (2) | This quota may only be fished from 1 July 2020 to 30 June 2021. | | |

”.

- (e) the fishing opportunities table for sprat and associated by-catches in Union waters of ICES division 2a and ICES subarea 4 is replaced by the following:

“

| Species: Sprat and associated by-catches <i>Sprattus sprattus</i> | | Zone: Union waters of 2a and 4 (SPR/2AC4-C) |
|--|--|--|
| Belgium | 1 821 (1)(2) | Analytical TAC |
| Denmark | 144 154 (1)(2) | |
| Germany | 1 821 (1)(2) | |
| France | 1 821 (1)(2) | |
| The Netherlands | 1 821 (1)(2) | |
| Sweden | 1 330 (1)(2)(3) | |
| United Kingdom | 6 010 (1)(2) | |
| Union | 158 778 (1)(2) | |
| Norway | 10 000 (1) | |
| Faroe Islands | 1 000 (1)(4) | |
| TAC | 169 778 (1) | |
| (1) | The quota may only be fished from 1 July 2020 to 30 June 2021. | |
| (2) | Up to 2 % of the quota may consist of by-catches of whiting (OTH/*2AC4C). By-catches of whiting counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota. | |
| (3) | Including sandeels. | |
| (4) | May contain up to 4 % of by-catch of herring. | |

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- (2) In Annex ID, the fishing opportunities table for swordfish in the Mediterranean is replaced by the following:

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| Species | Swordfish <i>Xiphias gladius</i> | Zone: Mediterranean Sea (SWO/MED) |
|---|-------------------------------------|---|
| Croatia | 14,60 ⁽¹⁾ | Analytical TAC |
| Cyprus | 53,85 ⁽¹⁾ | Article 3 of Regulation (EC) No 847/96 shall not apply. |
| Spain | 1 663,34 ⁽¹⁾ | Article 4 of Regulation (EC) No 847/96 shall not apply. |
| France | 115,93 ⁽¹⁾ | |
| Greece | 1 101,10 ⁽¹⁾ | |
| Italy | 3 409,98 ⁽¹⁾ | |
| Malta | 404,55 ⁽¹⁾ | |
| Union | 6 763,35 ⁽¹⁾ | |
| TAC | 9 583,07 | |
| ⁽¹⁾ This quota may only be fished from 1 April to 31 December. | | |

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- (3) In Annex IH, the fishing opportunities table for jack mackerel in the SPRFMO convention area is replaced by the following:

“

| Species: Jack mackerel <i>Trachurus murphyi</i> | | Zone: SPRFMO Convention Area (CJM/SPRFMO) |
|--|--------------|--|
| Germany | 10 446,80 | Analytical TAC |
| The Netherlands | 11 323,26 | Article 3 of Regulation (EC) No 847/96 shall not apply |
| Lithuania | 7 269,16 | Article 4 of Regulation (EC) No 847/96 shall not apply |
| Poland | 12 498,78 | |
| Union | 41 538 | |
| TAC | Not relevant | |

”.

- (4) In Annex V, in the table part B on “Maximum number of fishing authorisations for third-country vessels fishing in union waters”, footnote 1 is replaced by the following:

“(1) To issue those fishing authorisations, proof must be produced that a valid contract exists between the vessel owner applying for the fishing authorisation and a processing undertaking situated in the Department of French Guiana, and that it includes an obligation to land at least 75 % of all snapper catches from the vessel concerned in that department so that they may be processed in that undertaking’s plant. Such a contract must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guianese economy. A copy of the duly endorsed contract shall be appended to the fishing authorisation application. Where such an endorsement is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission. A fishing vessel flying the flag of Venezuela authorised to carry out fishing activities in 2020 may continue fishing until 1 April 2021 pending the renewal of its fishing authorisation and provided that:

- the vessel operator has signed a new supply contract for 2021,
- the authorisation renewal procedures are underway for this vessel,
- the vessel operator has complied with its reporting and contractual landing obligations in 2020.

This extension expires on the date of entry into force of the Commission's decision issuing a fishing authorisation for 2021 for the vessel, or upon notification from the Commission that the authorisation is refused.”.
