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COVER NOTE

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2019/0211 (NLE)

Proposal for a

COUNCIL REGULATION

fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks in the Mediterranean and Black Seas

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy[1] ("the CFP Basic Regulation") seeks to ensure that living aquatic resources are exploited under sustainable economic, environmental and social conditions. One important tool in this respect is the annual fixing of fishing opportunities. All fishing opportunities Regulations must limit the harvesting of fish stocks to levels which must be consistent with the overall objectives of the Common Fisheries Policy (CFP).

The objective of this proposal is to fix the fishing opportunities for certain stocks and groups of stocks in the Mediterranean and the Black Seas.

Following the adoption and entry into force of the Multiannual Plan for demersal stocks in the western Mediterranean Sea[2], this proposal establishes the fishing opportunities, expressed in terms of maximum allowable fishing effort, for the concerned Member States in that region (Spain, France and Italy).

This proposal also fixes fishing opportunities from agreements reached in the framework of the General Fisheries Commission for the Mediterranean (GFCM), a regional fisheries management organisation competent for the conservation and management of living marine resources in the Mediterranean and the Black Seas. The European Union is a member of the GFCM, together with Bulgaria, Croatia, Cyprus, France, Greece, Italy, Malta, Romania, Slovenia and Spain. Measures adopted in the framework of the GFCM are binding upon its members.

Finally, as regards the Black Sea, this proposal establishes an autonomous quota for sprat in order to maintain the current level of fishing mortality. For turbot, the proposal transposes the TAC and quotas established by the GFCM.

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1 Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, OJ L 354, 28.12.2013, p. 22.

2 Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014, OJ L 172, 26.06.2019, p. 1.

The ultimate objective is to bring and maintain stocks to levels that can deliver Maximum Sustainable Yield (MSY). This objective has been incorporated expressly in the CFP Basic Regulation, whose Article 2(2) states that this objective "shall be achieved by 2015 where possible, and […] by 2020 for all stocks". This reflects the commitment undertaken by the Union regarding the conclusions of the 2002 World Summit on Sustainable Development in Johannesburg and its related Plan of Implementation. On the other hand, in light of the proximity of the 2020 deadline and the very significant reductions of fishing effort that it would entail, the provisions of the multiannual plan for demersal stocks in the western Mediterranean Sea are intended to achieve fishing mortality at Maximum Sustainable Yield (MSY) on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest.

While this is the first time that a stand-alone fishing opportunities Regulation for both the Mediterranean and the Black Seas is proposed, the fishing opportunities exercise represents an annual management cycle. Indeed, fishing opportunities have been adopted in previous years as regards the Black Sea[3] and the GFCM agreement area[4]. For 2020, fishing opportunities must also be established for demersal stocks in the western Mediterranean Sea following the adoption and entry into force of the Multiannual Plan.

- **Consistency with existing policy provisions in the policy area**

The measures proposed are designed in accordance with the objectives and the rules of the Common Fisheries Policy.

- **Consistency with other Union policies**

The measures proposed are consistent with the Union's policy on sustainable development.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis of this proposal is Article 43(3) of the Treaty on the Functioning of the European Union (TFEU).

- **Subsidiarity (for non-exclusive competence)**

The proposal falls under the Union's exclusive competence as referred to in Article 3(1)(d) TFEU. The subsidiarity principle therefore does not apply.

[3] Council Regulation (EU) 2018/2058 of 17 December 2018 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks in the Black Sea (OJ L 329, 27.12.2018, p. 8)

[4] Council Regulation (EU) 2019/124 of 30 January 2019 fixing for 2019 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 29, 31.1.2019, p.1).

- **Proportionality**

The proposal complies with the proportionality principle for the following reasons: the CFP is a common policy. According to Article 43(3) TFEU, it is incumbent upon the Council to adopt the measures on the fixing and allocation of fishing opportunities.

The proposed Council Regulation allocates fishing opportunities to Member States. Having regard to Articles 16 and 17 of the CFP Basic Regulation, Member States are free to allocate such opportunities among vessels flying their flag as they see fit. Therefore, Member States have ample room for manoeuvre on decisions related to the social and economic models of their choice to exploit their allocated fishing opportunities.

The proposal has no new financial implications for Member States.

- **Choice of instrument**

The proposed instrument is a Council Regulation.

This is a proposal for fisheries management on the basis of Article 43(3) TFEU and in accordance with Article 16 of Regulation (EU) No 1380/2013.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable.

- **Stakeholder consultations**

Interested parties were consulted via the Communication from the Commission to the European Parliament and the Council on the State of Play of the Common Fisheries Policy and Consultation on the Fishing Opportunities for 2020[5].

- **Collection and use of expertise**

The assessment of the state of stocks in the Mediterranean and the Black Seas is based on the most recent work by the Scientific, Technical and Economic Committee for Fisheries (STECF), the GFCM Scientific Advisory Committee on Fisheries (SAC) and the GFCM Working Group on the Black Sea (WGBS).

[5] Communication from the Commission to the European Parliament and to the Council on the State of Play of the Common Fisheries Policy and Consultation on the Fishing Opportunities for 2020, COM/2019/274 final.

- **Impact assessment**

The scope of the fishing opportunities regulation is circumscribed by Article 43(3) TFEU.

The Commission's proposal for the CFP Basic Regulation and for the multiannual plan for demersal fisheries in the western Mediterranean were duly developed on the basis of impact assessments[6]. One of the main instruments of the CFP Basic Regulation to achieve the objectives set out in Article 2 of that Regulation is the fixing of fishing opportunities. As regards the multiannual plan, it introduced a fishing effort regime to tackle the problem of overfishing in the western Mediterranean demersal fisheries.

Regarding the fishing opportunities established by the GFCM both in the Mediterranean and in the Black Seas, this proposal essentially implements internationally agreed measures. Any elements relevant to assessing possible impacts of the fishing opportunities are dealt with in the preparation and conduct phase of international negotiations in the framework of which the Union's fishing opportunities are agreed with third parties.

The proposal reflects not only short-term concerns but also a longer approach whereby the level of fishing is gradually adapted to long-term sustainable levels.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

Not applicable.

4. BUDGETARY IMPLICATIONS

The proposal has no budgetary implications.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

This proposal will be implemented in accordance with the existing Common Fisheries Policy rules. Monitoring and compliance will be ensured according to the rules of Council Regulation (EC) No 1224/2009.

- **Detailed explanation of the specific provisions of the proposal**

The proposal fixes for 2020 the fishing opportunities for Member States for certain stocks or groups of stocks in the Mediterranean and the Black Seas. The fishing opportunities include in particular:

[6] SEC(2011)891 final of 13.7.2011 and SWD(2018)59 and 60 final, of 8.3.2018, respectively.

1. a fishing effort regime for trawl vessels exploiting demersal stocks in the western Mediterranean Sea. The new multiannual plan for demersal fisheries in the western Mediterranean entered into force on 16 July 2019. Under the provisions of this plan, each year the Council is to set a maximum allowable fishing effort for each fishing effort group by Member State and for the stock groups defined in Annex I of the plan. For the first year of implementation of the plan, the maximum allowable fishing effort is to be reduced by 10% compared to the baseline (from 1 January 2015 to 31 December 2017), calculated by each Member State for each fishing effort group or geographical subarea;

2. measures adopted by the GFCM and applicable in the Mediterranean Sea. These measures include: a closure period for European eel in the entire Mediterranean Sea (GSAs 1 to 27) and catch and effort limits for small pelagic stocks in the Adriatic Sea (GSAs 17 and 18). These measures were adopted at the 2018 GFCM annual session. In addition, the proposal includes fishing effort limits for demersal stocks in the Adriatic Sea (GSAs 17 and 18) to be adopted at the 2019 GFCM annual session to be held from 4 to 8 November 2019. As such measures are pending because the GFCM annual meeting has not yet taken place, they are marked as *"pm" (pro memoria)* in this proposal. They will be updated once adopted by the GFCM;

3. fishing opportunities in the Black Sea. They include: a) an autonomous quota for sprat based on scientific advice according to which it is necessary to maintain the current level of fishing mortality to ensure the sustainability of the stock; b) the total allowable catch (TAC) and quota allocation for turbot in the framework of a new multiannual management plan for turbot fisheries to be adopted at the GFCM 2019 annual session. The TAC and quotas for turbot are marked as *"pm"* in the proposal, pending adoption by the GFCM.

2019/0211 (NLE)

Proposal for a

COUNCIL REGULATION

fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks in the Mediterranean and Black Seas

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) TFEU 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[7] 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, including certain conditions functionally linked thereto, as appropriate. Article 16(4) of Regulation (EU) No 1380/2013 provides that fishing opportunities be fixed in accordance with the objectives of the Common Fisheries Policy ('CFP') established in Article 2(2) of that Regulation. Article 16(1) of Regulation (EU) No 1380/2013 provides that fishing opportunities be allocated to Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each fish stock or fishery.

(4) Article 16(4) of Regulation (EU) No 1380/2013 provides that for stocks subject to specific multiannual plans, the fishing opportunities should be established in accordance with the rules laid down in those plans.

[7] Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22)

(5) The Multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea was established by Regulation (EU) 2019/1022 of the European Parliament and of the Council[8] and entered into force on 16 July 2019. In accordance with Article 4(1) of that Regulation, fishing opportunities for stocks listed in Article 1 of that Regulation should be fixed to achieve fishing mortality at Maximum Sustainable Yield (MSY) on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest. Fishing opportunities should be expressed as maximum allowable fishing effort and fixed in accordance with the fishing effort regime laid down in Article 7 of Regulation (EU) 2019/1022. For 2020, the maximum allowable fishing effort should be therefore reduced by 10% compared to the baseline set out in accordance with Article 7(4) of that Regulation.

(6) At its 42nd annual meeting in 2018, the General Fisheries Commission for the Mediterranean ('GFCM') adopted Recommendation GFCM/42/2018/1 establishing management measures for European eel (*Anguilla anguilla L.*) in the Mediterranean Sea (GFCM geographical subareas 1 to 27). These measures include an annual closure period of three consecutive months to be defined by each Member State in accordance with the conservation objectives of Regulation (EC) No 1100/2007[9], the national management plan(s) for eel and the temporal migration patterns of eel in the Member State. The closure shall apply to all marine waters of the Mediterranean Sea and to brackish waters such as estuaries, coastal lagoons and transitional waters, in accordance with the Recommendation. This measure should be implemented in the law of the Union.

(7) At its 42nd annual meeting in 2018, the GFCM also adopted Recommendation GFCM/42/2018/8, which established catch and effort limits for small pelagic stocks for the years 2019, 2020 and 2021 in the GFCM geographical subareas 17 and 18 (Adriatic Sea). These measures should be implemented in the law of the Union. The maximum catch limits are fixed exclusively for one year and without prejudice to any other measures adopted in the future and any possible allocation scheme between Member States.

(8) At its 43rd annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/xx establishing management measures for demersal stocks in GFCM geographical subareas 17 and 18 (Adriatic Sea), which introduced a fishing effort regime for certain demersal stocks. These measures should be implemented in the law of the Union.

[*The recital, the relevant Articles and Annexes will be updated after the annual meeting*]

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8 Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014, OJ L 172, 26.6.2019, p. 1

9 Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel (OJ L 248, 22.9.2007, p. 17).

(9) Taking into account the particularities of the Slovenian fleet and their marginal impact on the stocks of small pelagic and demersal stocks, it is appropriate to preserve the existing fishing patterns and to ensure access of the Slovenian fleet to a minimum quantity of small pelagic species and a minimum effort quota for demersal stocks.

(10) At its 43rd annual meeting in 2019, the GFCM adopted Recommendation GFCM/43/2019/xx amending Recommendation GFCM/41/2017/4 on a multiannual management plan for turbot fisheries in the Black Sea (GFCM geographical subarea 29). This recommendation introduces an updated regional Total Allowable Catch (TAC) and a quota allocation scheme for turbot and further conservation measures for this stock, in particular a two months closure period and a limitation of fishing days to 180 days per year. These measures should be implemented in the law of the Union.

[*The recital, the relevant Articles and Annexes will be updated after the annual meeting*]

(11) In accordance with the scientific advice provided by the GFCM, it is necessary to maintain the current level of fishing mortality to ensure the sustainability of the stock of sprat in the Black Sea. It is therefore appropriate to continue setting an autonomous quota for this stock.

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

(13) Council Regulation (EC) No 847/96[10] introduced additional conditions for year-to year management of TACs including, under Articles 3 and 4 of that Regulation, flexibility provisions for precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing the TACs, the Council is to decide to which stocks Article 3 or 4 of that Regulation is not to apply, in particular on the basis of the biological status of the stocks. More recently, the year-to-year flexibility mechanism was introduced by Article 15(9) of Regulation (EU) No 1380/2013 for all stocks that are subject to the landing obligation. Therefore, in order to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of marine biological resources, hinder the achievement of the objectives of the CFP and deteriorate the biological status of the stocks, it should be established that Articles 3 and 4 of Regulation (EC) No 847/96 apply to analytical TACs only where the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 is not used.

[10] Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

(14) The use of fishing opportunities available to Union fishing vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009[11], and in particular to Articles 33 and 34 of that Regulation, concerning 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 Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.

(15) In order to avoid the interruption of fishing activities and to ensure the livelihood of Union fishermen, this Regulation should apply from 1 January 2020. For reasons of urgency, this Regulation should enter into force immediately after its publication.

(16) Fishing opportunities should be used in full compliance with Union law,

HAS ADOPTED THIS REGULATION:

TITLE I
GENERAL PROVISIONS

Article 1
Subject matter

This Regulation fixes for 2020 the fishing opportunities available in the Mediterranean and Black Seas for certain fish stocks and groups of fish stocks.

Article 2
Scope

1. This Regulation shall apply to Union fishing vessels exploiting the following fish stocks:

(a) European eel (*Anguilla anguilla L.*) in the Mediterranean Sea, as defined in Article 4(b);

(b) blue and red shrimp (*Aristeus antennatus*), deep-water rose shrimp (*Parapenaeus longirostris*), giant red shrimp (*Aristaeomorpha foliacea*), European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*) and red mullet (*Mullus barbatus*) in the western Mediterranean Sea, as defined in Article 4(c);

[11] Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

(c) anchovy (*Engraulis encrasicolus*) and sardine (*Sardina pilchardus*) in the Adriatic Sea, as defined in Article 4(d);

(d) European hake (*Merluccius merluccius*), Norway lobster (*Nephrops norvegicus*), common sole (*Solea solea)*, deep-water rose shrimp (*Parapenaeus longirostris*) and red mullet (*Mullus barbatus*) in the Adriatic Sea, as defined in Article 4(d);

(e) sprat (*Sprattus sprattus*) and turbot (*Psetta maxima*) in the Black Sea, as defined in Article 4(e).

2. This Regulation shall also apply to recreational fisheries where they are expressly referred to in the relevant provisions.

Article 3
Definitions

For the purposes of this Regulation, the definitions laid down to in Article 4 of Regulation (EU) No 1380/2013 apply. In addition, the following definitions apply:

(a) 'international waters' means waters falling outside the sovereignty or jurisdiction of any State;

(b) 'recreational fisheries' means non-commercial fishing activities exploiting marine living aquatic resources for recreation, tourism or sport;

(c) 'Total allowable catch' (TAC) means:

  (i) in fisheries subject to the exemption of the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that can be landed from each stock each year;

  (ii) in all other fisheries, the quantity of fish that can be caught from each stock over the period of a year;

(d) 'quota' means a proportion of the TAC allocated to the Union or a Member State;

(e) 'Union autonomous quota' means a catch limit autonomously allocated to Union fishing vessels in the absence of an agreed TAC;

(f) 'analytical quota' means a Union autonomous quota for which an analytical assessment is available;

(g) 'analytical assessment' means a quantitative evaluation of trends in a given stock, based on data about the stock's biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches.

Article 4
Fishing zones

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

(a) 'GFCM (General Fisheries Commission for the Mediterranean) geographical subareas' mean the areas defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council[12];

(b) 'Mediterranean Sea' means the waters in GFCM geographical subareas 1 to 27, as defined in Annex I to Regulation (EU) No 1343/2011;

(c) 'western Mediterranean Sea' means the waters in GFCM geographical subareas 1, 2, 5, 6, 7, 8, 9, 10 and 11, as defined in Annex I to Regulation (EU) No 1343/2011;

(d) 'Adriatic Sea' means the waters in GFCM geographical subareas 17 and 18, as defined in Annex I to Regulation (EU) No 1343/2011;

(e) 'Black Sea' means the waters in GFCM geographical subarea 29, as defined in Annex I to Regulation (EU) No 1343/2011.

TITLE II

FISHING OPPORTUNITIES

CHAPTER I

Mediterranean Sea

Article 5
European eel

1. All activities by Union fishing vessels and other Union fishing activities catching European eel (*Anguilla anguilla L.*), namely targeted, incidental and recreational fisheries, shall be subject to the provisions of this Article.

2. This Article shall apply to the Mediterranean Sea and to brackish waters such as estuaries, coastal lagoons and transitional waters.

[12] Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p.44).

3 It shall be prohibited for Union fishing vessels to fish for European eel in Union and international waters of the Mediterranean Sea for a consecutive three-month period to be determined by each Member State. The fishing closure period shall be consistent with the conservation objectives set out in Regulation (EC) No 1100/2007[13], with national management plans in place and with the temporal migration patterns of European eel in the Member States concerned. Member States shall communicate the determined period to the Commission no later than one month prior to the entry into force of the closure and in any case no later than 31 January 2020.

CHAPTER II

Western Mediterranean Sea

Article 6
Demersal stocks

1. The maximum allowable fishing effort for 2020 for demersal stocks in the western Mediterranean Sea is set out in Annex I to this Regulation.
2. Member States shall manage the maximum allowable fishing effort in accordance with Article 9 of Regulation (EU) 2019/1022.

Article 7
Data transmission

Member States shall record and transmit the fishing effort data to the Commission in accordance with Article 10 of Regulation (EU) 2019/1022.

When submitting effort data to the Commission in accordance with this Article, Member States shall use the fishing effort group codes set out in Annex I to this Regulation.

[13] Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel, OJ L 248, 22.9.2007, p. 17.

CHAPTER III

Adriatic Sea

Article 8
Small pelagic stocks

1. Catches of sardine (*Sardina pilchardus*) and anchovy (*Engraulis encrasicolus*) by Union fishing vessels in the Adriatic Sea shall not exceed the levels set out in Annex II to this Regulation.
2. Union fishing vessels targeting sardine and anchovy in the Adriatic Sea shall not exceed 180 fishing days per year. Within that total of 180 fishing days, a maximum of 144 fishing days targeting sardine and a maximum of 144 fishing days targeting anchovy shall apply.

Article 9
Demersal stocks

1. The maximum allowable fishing effort for 2020 for demersal stocks in the Adriatic Sea is set out in Annex II.
2. Member States shall manage the maximum allowable effort in accordance with Articles 26 to 35 of Council Regulation (EC) No 1224/2009.

Article 10
Data transmission

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States submit to the Commission data relating to landings of quantities of stocks caught, they shall use the stock codes set out in Annex II to this Regulation.

CHAPTER IV

Black Sea

Article 11

Allocation of fishing opportunities for sprat

The Union autonomous quota for sprat (*Sprattus sprattus*), the allocation of such quota among Member States and the conditions functionally linked thereto, where appropriate, are set out in Annex III to this Regulation.

Article 12

Allocation of fishing opportunities for turbot

The TAC for turbot (*Psetta maxima*) applicable in Union waters in the Black Sea for Union fishing vessels and the allocation of such TAC among Member States and the conditions functionally linked thereto, where appropriate, are set out in Annex III to this Regulation.

Article 13

Management of fishing effort for turbot

Union fishing vessels authorised to fish for turbot in Union waters in the Black Sea, irrespective of the vessels' length overall, shall not exceed 180 fishing days per year.

Article 14

Closure period for turbot

It shall be prohibited for Union fishing vessels to carry out any fishing activity, including transhipment, retaining on board and landing of turbot in Union waters in the Black Sea from 15 April to 15 June.

Article 15

Special provisions on allocations of fishing opportunities in the Black Sea

The allocation of fishing opportunities among Member States as set out in Articles 11 and 12 of 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[14];

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

Article 16
Data transmission

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States submit to the Commission data relating to landings of quantities of stocks of sprat and turbot caught in Union waters in the Black Sea, they shall use the stock codes set out in Annex III to this Regulation.

TITLE III

FINAL PROVISIONS

Article 17
Entry into force

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 2020.

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

Done at Brussels,

For the Council
The President

[14] Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) 2371/2002, (EC) 811/2004, (EC) 768/2005, (EC) 2115/2005, (EC) 2166/2005, (EC) 388/2006, (EC) 509/2007, (EC) 676/2007, (EC) 1098/2007, (EC) 1300/2008, (EC) 1342/2008, and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).