



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.06.2000
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Proposal for a

COUNCIL REGULATION

amending, for the third time, Regulation (EC) No 2742/1999 fixing for 2000 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required and amending Regulation 66/98

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 2742/1999 fixes, among other stipulations, the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters for 2000. Among these fishing opportunities, a TAC has been set for anchovy in the Bay of Biscay (ICES sub-area VIII) at a value of 16000 t. This figure was adopted in the light of scientific advice indicating that the spawning stock biomass in 2000 could be dangerously low;

Scientific knowledge on the stock size of anchovy in 2000 is expected to improve greatly when new survey results have been analysed by the Scientific, Technical and Economic Committee for Fisheries (STECF). Furthermore, the long-term effects of various management measures has also been studied by STECF and the basis for scientific advice has improved since the TAC regulation was agreed in December 1999.

It is appropriate to create the opportunity for adjusting the TAC when the analysis of new survey results are known, in order to afford appropriate protection to the spawning stock while not unnecessarily restricting catching opportunities.

Due to the need for very rapid action in this instance, it is proposed that the Commission be empowered to amend the TAC according to a pre-agreed rule which is designed to meet objective of stock conservation and the need to avoid interruption of fishing unless the stock is in danger.

The Council is requested to adopt this proposal in order to provide adequate protection to the stock of anchovy and, if possible, to allow fishermen to utilise new fishing opportunities and to continue fishing under appropriate conditions.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture¹, and in particular Article 8, paragraph 4,

Having regard to the proposal from the Commission,

Whereas:

- (1) Regulation (EC) No 2742/1999² sets a TAC for anchovy in the Bay of Biscay (ICES sub-area VIII) of 16000 t. This figure was adopted in the light of scientific advice indicating that the spawning stock biomass in 2000 could be dangerously low.
- (2) Improved scientific estimates of the spawning stock biomass will be provided by the Scientific, Technical and Economic Committee for Fisheries not later than 7 June 2000.
- (3) According to scientific advice, management action should prevent the spawning stock biomass to fall below 18000 t. If the spawning stock biomass were considerably higher than this figure, a higher figure up until the historic TAC of 33000 t may be established.
- (4) There is a need to adopt a swift decision following the new estimates of spawning stock biomass. Therefore, it is appropriate that the Commission revises the fishing possibilities in accordance with rules in the annex,

¹ OJ L 389, 31.12.1992, p. 1.

² OJ L 341, 31.12.1999, p. 1. Regulation as amended by Regulation (EC) No .../2000 (OJ L...,2000)

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No. 2742/1999 shall be modified as follows:

1. The following article 3a is inserted

"Article 3a

1. The Commission is hereby authorised to amend the fishing possibilities of anchovy in ICES sub-area VIII set out in annex I D following the estimate of spawning stock biomass at 1 May 2000 provided by the Scientific, Technical and Economic Committee for Fisheries and in accordance with the rules set out in annex XV.
 2. When amending the fishing possibilities, the allocation of additional quantities to the quotas of the Member States concerned shall be in conformity with the principle of relative stability.
 3. Notwithstanding the quota for anchovy in ICES sub-area VIII set out in annex I D, if the estimate of spawning stock biomass at 1 May 2000 provided by the Scientific, Technical and Economic Committee for Fisheries is less than 18 000 t, the fishery shall be prohibited by the Commission."
2. The annex is inserted as annex XV.

Article 2

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

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

Done at Brussels,

*For the Council
The President*

Annex

Spawning Biomass of Anchovy on 1 May 2000 as Evaluated by STECF (B)	increase in TAC (tonnes)
B greater than 36 000t	17 000
B between 18 000t and 36 000t	$17000 * \frac{(B - 18000)}{18000}$ and rounded to the nearest 10t.