

Council Regulation (EU) 2016/72 of 22 January 2016 fixing for 2016 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, and amending Regulation (EU) 2015/104

TITLE II

FISHING OPPORTUNITIES FOR UNION FISHING VESSELS

CHAPTER II

Additional allocations for vessels participating in trials on fully documented fisheries

Article 16

Conditions for additional allocations

1 The additional allocation referred to in Article 15 shall comply with the following conditions:

- a Member States shall ensure detailed and accurate documentation of all fishing trips and adequate capacity and means, such as observers, closed-circuit television (CCTV) and others. In doing so, Member States shall respect the principle of efficiency and proportionality;
- b the additional allocation granted to an individual vessel that participates in trials on fully documented fisheries shall not exceed any of the following limits:
 - (i) 75 % of the discards of the stock, as estimated by the relevant Member State, produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs;
 - (ii) 30 % of the vessel's individual allocation prior to participating in the trials;
- c all catches by the vessel from the stock subject to the additional allocation, including fish that are under minimum landing size as defined in Annex XII of Council Regulation (EC) No 850/98⁽¹⁾, shall be counted against the individual allocation of the vessel, as resulting from any additional allocation granted under Article 15 of this Regulation;
- d once the individual allocation for any stock subject to the additional allocation has been fully utilised by a vessel, the vessel in question must cease all fishing activity in the relevant TAC area;
- e in respect of the stocks for which this Article may be used, Member States may allow transfers of the individual allocation or any part thereof from vessels not participating in trials on fully documented fisheries to vessels participating in those trials provided that it can be demonstrated that discards by the non-participating vessels do not increase.

2 Notwithstanding paragraph 1(b)(i), a Member State may exceptionally grant to a vessel flying its flag an additional allocation exceeding 75 % of the estimated discards of the stock produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs, provided that:

- a the rate of stock discards, as estimated for the relevant type of vessel, is less than 10 %;

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) 2016/72. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- b the inclusion of that type of vessel is important to evaluate the potential of the monitoring means used in accordance with paragraph 1(a);
 - c an overall limit of 75 % of the estimated stock discards produced by all vessels participating in the trials is not exceeded.
- 3 Prior to granting the additional allocation referred to in Article 15, a Member State shall submit the following information to the Commission:
- a the list of vessels flying its flag and participating in trials on fully documented fisheries;
 - b the specifications of the remote electronic monitoring equipment installed on board those vessels;
 - c the capacity, type and specification of gears used by those vessels;
 - d the estimated discards for each type of vessel participating in the trials;
 - e the amount of catches of the stock subject to the relevant TAC made in 2015 by the vessels participating in the trials.

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- (1) Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ([OJ L 125, 27.4.1998, p. 1](#)).

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex IA Text replacement by [EUR 2016/2285](#) Regulation