

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

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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](#)

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Article 33 Purse-seine fisheries

Article 34 Prohibition of fishing for oceanic whitetip sharks

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TITLE III

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- Article 43 TACs
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- Article 47 Amendment to Regulation (EU) 2015/104

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- Article 48 Committee procedure
- Article 48a Transitional provision
- Article 49 Entry into force
- Signature

ANNEX I

TACs APPLICABLE TO UNION FISHING VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA

The tables in Annexes IA, IB, IC, ID, IE, IF, ...
All fishing opportunities set out in this Annex shall be...

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The references to fishing zones are references to ICES zones,...
For the purposes of this Regulation, the following comparative table...

Scientific name Alpha-3 code Common name Amblyraja radiata
RJR Starry...

The following comparative table of common names and Latin names...

Alfonsinos ALF Beryx spp. American plaice PLA

Hippoglossoides platessoides Anchovy...

ANNEX IA

SKAGERRAK, KATTEGAT, ICES SUBAREAS I, II, III, IV, V, VI,...

ANNEX IB

NORTH EAST ATLANTIC AND GREENLAND, ICES SUBAREAS I, II, V,...

ANNEX IC

~~NORTHWEST ATLANTIC~~ CONVENTION AREA

ANNEX ID

HIGHLY MIGRATORY FISH — ALL AREAS

ANNEX IE

~~ANTARCTIC~~ MLR CONVENTION AREA

ANNEX IF

~~SOUTHEAST ATLANTIC~~ CONVENTION AREA

ANNEX IG

SOUTHERN BLUEFIN TUNA — ALL AREAS

ANNEX IH

WCPFC CONVENTION AREA

ANNEX IJ

SPRFMO CONVENTION AREA

ANNEX IIA

FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE MANAGEMENT OF CERTAIN COD, PLAICE AND SOLE STOCKS IN ICES DIVISIONS IIIa, VIa, VIIa, VIId, ICES SUBAREA IV AND UNION WATERS OF ICES DIVISIONS IIa AND Vb

1. Scope
 - 1.1. This Annex shall apply to Union fishing vessels carrying on...
 - 1.2. This Annex shall not apply to vessels of less than 10 metres'...
2. Regulated gears and geographical areas
3. Authorisations
4. Maximum allowable fishing effort
 - 4.1. The maximum allowable effort referred to in Article 12(1) of Regulation...
 - 4.2. The maximum levels of annual fishing effort set in accordance...
5. Management
 - 5.1. Member States shall manage the maximum allowable effort in accordance with...
 - 5.2. A Member State may establish management periods for allocating all or...
 - 5.3. If a Member State authorises vessels flying its flag to be...
6. Fishing effort report
7. Communication of relevant data

Appendix 1 to Annex IIA

Maximum allowable fishing effort in kilowatt days

ANNEX IIB

FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE RECOVERY OF CERTAIN SOUTHERN HAKE AND NORWAY LOBSTER STOCKS IN ICES DIVISIONS VIIIc AND IXa EXCLUDING THE GULF OF CÁDIZ

CHAPTER I

General Provisions

1. Scope
2. Definitions

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

3. Limitation in activity

CHAPTER II

Authorisations

4. Authorised vessels

- 4.1. A Member State shall not authorise fishing with regulated gear in...
- 4.2. A vessel flying the flag of a Member State having no...

CHAPTER III

Number of days present within the area allocated to Union...

5. Maximum number of days

- 5.1. During the current management period, the maximum number of days at...
- 5.2. If a vessel is able to demonstrate that its hake catches represent...

6. Special conditions for the allocation of days

- 6.1. For the purposes of fixing the maximum number of days...
- 6.2. If a vessel benefits from an unlimited number of days...
- 6.3. When either of the special conditions is not met by...
- 6.4. The application of the special conditions referred to in point 6.1....

7. Kilowatt day system

- 7.1. A Member State may manage its fishing effort allocations in accordance...
- 7.2. This overall amount of kilowatt days shall be the sum...
- 7.3. A Member State wishing to benefit from the system referred to...
- 7.4. On the basis of that request, the Commission shall assess...

8. Allocation of additional days for permanent cessation of fishing activities...

- 8.1. An additional number of days at sea on which a...
- 8.2. The effort expended in 2003 measured in kilowatt days of the...
- 8.3. Points 8.1. and 8.2. shall not apply where a vessel has been...
- 8.4. A Member State wishing to benefit from the allocations referred to...
- 8.5. On the basis of such a request by a Member State...
- 8.6. During the current management period, a Member State may re-allocate those additional...
- 8.7. When the Commission allocates additional days at sea due to...

9. Allocation of additional days for enhanced scientific observer coverage

- 9.1. Three additional days on which a vessel may be present...
- 9.2. Scientific observers shall be independent from the owner, the master...
- 9.3. A Member State wishing to benefit from the allocations referred to...
- 9.4. On the basis of that description, and after consultation with...
- 9.5. If an enhanced scientific observer coverage programme submitted by a...

CHAPTER IV

Management

10. General obligation

- 11. Management periods
 - 11.1. A Member State may divide the days present within the area...
 - 11.2. The number of days or hours for which a vessel...
 - 11.3. Where a Member State authorises vessels flying its flag to be...

CHAPTER V

Exchanges of fishing effort allocations

- 12. Transfer of days between fishing vessels flying the flag of...
 - 12.1. A Member State may permit any fishing vessel flying its flag...
 - 12.2. The total number of days present within the area transferred...
 - 12.3. The transfer of days as described in point 12.1. shall be...
 - 12.4. The transfer of days is only permitted for vessels benefiting...
 - 12.5. On request from the Commission, Member States shall provide information on...
- 13. Transfer of days between fishing vessels flying the flag of...

CHAPTER VI

Reporting obligations

- 14. Fishing effort report
- 15. Collection of relevant data
- 16. Communication of relevant data

ANNEX IIC

FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE MANAGEMENT OF WESTERN CHANNEL SOLE STOCKS IN ICES DIVISION VIIe

CHAPTER I

General provisions

- 1. Scope
 - 1.1. This Annex shall apply to Union fishing vessels of 10 metres length...
 - 1.2. Vessels fishing with static nets with mesh size equal to...
- 2. Definitions
- 3. Limitation in activity

CHAPTER II

Authorisations

- 4. Authorised vessels
 - 4.1 A Member State shall not authorise fishing with regulated gear in...

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- 4.2 However, a vessel with a track record of using a...
- 4.3 A vessel flying the flag of a Member State having no...

CHAPTER III

Number of days present within the area allocated to Union...

- 5. Maximum number of days
- 6. Kilowatt day system
 - 6.1. During the current management period, a Member State may manage its fishing...
 - 6.2. This overall amount of kilowatt days shall be the sum...
 - 6.3. A Member State wishing to benefit from the system referred to...
 - 6.4. On the basis of that request, the Commission shall assess...
- 7. Allocation of additional days for permanent cessation of fishing activities...
 - 7.1. An additional number of days at sea on which a...
 - 7.2. The effort expended in 2003 measured in kilowatt days of the...
 - 7.3. Points 7.1. and 7.2. shall not apply where a vessel has been...
 - 7.4. A Member State wishing to benefit from the allocations referred to...
 - 7.5. On the basis of such a request by a Member State...
 - 7.6. During the current management period, a Member State may re-allocate those additional...
 - 7.7. When the Commission allocates additional days at sea due to...
- 8. Allocation of additional days for enhanced scientific observer coverage
 - 8.1. Three additional days on which a vessel may be present...
 - 8.2. Scientific observers shall be independent from the owner, the master...
 - 8.3. A Member State wishing to benefit from the allocations referred to...
 - 8.4. On the basis of that description, and after consultation with...
 - 8.5. If an enhanced scientific observer coverage programme submitted by a...

CHAPTER IV

Management

- 9. General obligation
- 10. Management periods
 - 10.1. A Member State may divide the days present within the area...
 - 10.2. The number of days or hours for which a vessel...
 - 10.3. Where a Member State authorises vessels flying its flag to be...

CHAPTER V

Exchanges of fishing effort allocations

- 11. Transfer of days between fishing vessels flying the flag of...
 - 11.1. A Member State may permit any fishing vessel flying its flag...
 - 11.2. The total number of days present within the area transferred...
 - 11.3. The transfer of days as described in point 11.1. shall be...

- 11.4. On request from the Commission, Member States shall provide information on...
12. Transfer of days between fishing vessels flying the flag of...

CHAPTER VI

Reporting obligations

13. Fishing effort report
14. Collection of relevant data
15. Communication of relevant data

ANNEX IID

MANAGEMENT AREAS FOR SANDEEL IN ICES DIVISIONS IIa, IIIa AND ICES SUBAREA IV

For the purposes of the management of the fishing opportunities...
Sandeel management area ICES statistical rectangles 1 31-34 E9-
F2; 35...

Appendix 1 to Annex IID

SANDEEL MANAGEMENT AREAS

ANNEX III

MAXIMUM NUMBER OF FISHING AUTHORISATIONS FOR UNION FISHING VESSELS FISHING IN THIRD-COUNTRY WATERS

Without prejudice to additional licences granted to Sweden by
Norway...

ANNEX IV

ICCAT CONVENTION AREA

1. Maximum number of Union bait boats and trolling boats authorised...
2. Maximum number of Union coastal artisanal fishing vessels authorised to...
3. Maximum number of Union fishing vessels authorised to fish actively...
4. Maximum number and total capacity in gross tonnage of fishing...
5. Maximum number of traps engaged in the eastern Atlantic and...

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6. Maximum bluefin tuna farming capacity and fattening capacity for each...

ANNEX V

CCAMLR CONVENTION AREA

PART A

PROHIBITION OF DIRECTED FISHING IN CCAMLR CONVENTION AREA

PART B

TACs AND BY-CATCH LIMITS FOR EXPLORATORY FISHERIES IN THE CCAMLR...

PART C

ANNEX 21-03/A NOTIFICATION OF INTENT TO PARTICIPATE IN A FISHERY FOR...

ANNEX VI

IOTC CONVENTION AREA

1. Maximum number of Union fishing vessels authorised to fish for...
2. Maximum number of Union fishing vessels authorised to fish for...
3. The vessels referred to in point 1 shall also be authorised...
4. The vessels referred to in point 2 shall also be authorised...

ANNEX VII

WCPFC CONVENTION AREA

Maximum number of Union fishing vessels authorised to fish
for...

Spain 14 Union 14

ANNEX VIII

QUANTITATIVE LIMITATIONS OF FISHING AUTHORISATIONS FOR THIRD-COUNTRY VESSELS FISHING IN UNION WATERS

To issue those fishing authorisations, proof must be produced
that...

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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) Council Regulation (EC) No 509/2007 of 7 May 2007 establishing a multi-annual plan for the sustainable exploitation of the stock of sole in the Western Channel ([OJ L 122, 11.5.2007, p. 7](#)).
- (3) Council Regulation (EC) No 676/2007 of 11 June 2007 establishing a multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea ([OJ L 157, 19.6.2007, p. 1](#)).
- (4) Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004 ([OJ L 348, 24.12.2008, p. 20](#)).
- (5) Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007 ([OJ L 96, 15.4.2009, p. 1](#)).
- (6) Council Regulation (EC) No 2166/2005 of 20 December 2005 establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula and amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ([OJ L 345, 28.12.2005, p. 5](#)).
- (7) Council Regulation (EC) No 1300/2008 of 18 December 2008 establishing a multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock ([OJ L 344, 20.12.2008, p. 6](#)).
- (8) 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](#)).
- (9) Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008 ([OJ L 214, 19.8.2009, p. 16](#)).
- (10) Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community 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](#)).
- (11) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([OJ L 281, 23.11.1995, p. 31](#)).
- (12) Agreement on fisheries between the European Economic Community and the Kingdom of Norway ([OJ L 226, 29.8.1980, p. 48](#)).
- (13) Agreement on fisheries between the European Economic Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part ([OJ L 226, 29.8.1980, p. 12](#)).
- (14) Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand ([OJ L 172, 30.6.2007, p. 4](#)) and Protocol setting out the fishing opportunities and financial contribution provided for in that Agreement ([OJ L 293, 23.10.2012, p. 5](#)).
- (15) [OJ L 6, 10.1.2012, p. 9](#).
- (16) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (17) Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 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, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 ([OJ L 22, 28.1.2015, p. 1](#)).

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)
- Annex IIB TABL I Text amendment by [EUR 2016/2075](#) Regulation

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

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