

Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008

CHAPTER III

TARGETS

Article 4

Targets

- 1 The target fishing mortality, in line with the ranges of F_{MSY} defined in Article 2, shall be achieved as soon as possible, and on a progressive, incremental basis by 2020 for the stocks listed in Article 1(1), and shall be maintained thereafter within the ranges of F_{MSY} , in accordance with this Article.
- 2 The ranges of F_{MSY} based on the plan shall be requested in particular from ICES or a similar independent scientific body recognised at Union or international level.
- 3 In accordance with Article 16(4) of Regulation (EU) No 1380/2013, when the Council fixes fishing opportunities for a stock, it shall establish those opportunities within the lower range of F_{MSY} available at that time for that stock.
- 4 Notwithstanding paragraphs 1 and 3, fishing opportunities for a stock may be fixed at levels that are lower than the ranges of F_{MSY} .
- 5 Notwithstanding paragraphs 3 and 4, fishing opportunities for a stock may be fixed in accordance with the upper range of F_{MSY} available at that time for that stock, provided that the stock referred to in Article 1(1) is above $MSY B_{trigger}$:
 - a if, on the basis of scientific advice or evidence, it is necessary for the achievement of the objectives laid down in Article 3 in the case of mixed fisheries;
 - b if, on the basis of scientific advice or evidence, it is necessary to avoid serious harm to a stock caused by intra- or inter-species stock dynamics; or
 - c in order to limit variations in fishing opportunities between consecutive years to not more than 20 %.
- 6 Where ranges of F_{MSY} cannot be determined for a stock listed in Article 1(1) because of a lack of adequate scientific information, that stock shall be managed in accordance with Article 5 until ranges of F_{MSY} are available pursuant to paragraph 2 of this Article.
- 7 Fishing opportunities shall in any event be fixed in such a way as to ensure that there is less than a 5 % probability of the spawning stock biomass falling below B_{lim} .

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2019/472 of the European Parliament and of the Council. 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](#)

Article 5

Management of by-catch stocks

1 Management measures for the stocks referred to in Article 1(4) including, where appropriate, fishing opportunities shall be set taking into account the best available scientific advice and shall be consistent with the objectives laid down in Article 3.

2 The stocks referred to in Article 1(4) shall be managed under the precautionary approach to fisheries management as defined in point 8 of Article 4(1) of Regulation (EU) No 1380/2013 when no adequate scientific information is available, and in accordance with Article 3(5) of this Regulation.

3 In accordance with Article 9(5) of Regulation (EU) No 1380/2013, the management of mixed fisheries with regard to stocks referred to in Article 1(4) of this Regulation shall take into account the difficulty of fishing all stocks at MSY at the same time, especially in situations where that leads to a premature closure of the fishery.

Article 6

Limitation of variations in fishing opportunities for a stock

A relevant Advisory Council may recommend to the Commission a management approach that seeks to limit year-to-year variations in the fishing opportunities for a particular stock listed in Article 1(1).

The Council may take any such recommendations into account when fixing fishing opportunities provided that these fishing opportunities comply with Articles 4 and 8.

Changes to legislation:

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

- Art. 1(2A)(2B) inserted by [S.I. 2019/1312 reg. 6\(2\)\(c\)](#)
- Art. 1.1(4)-(7) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(11) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(13) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(18) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(20) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(23) words omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(b\)](#)
- Art. 1.1(24)-(26) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(30) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 1.1(34)-(36) omitted by [2020 c. 22 Sch. 11 para. 10\(2\)\(a\)](#)
- Art. 2(1) words omitted by [S.I. 2019/1312 reg. 6\(3\)\(a\)\(ii\)](#)
- Art. 2(1) words substituted by [S.I. 2019/1312 reg. 6\(3\)\(a\)\(i\)](#)
- Art. 2(2) words omitted by [S.I. 2019/1312 reg. 6\(3\)\(b\)](#)
- Art. 2(8) words omitted by [S.I. 2019/1312 reg. 6\(3\)\(c\)](#)
- Art. 2(9) words omitted by [S.I. 2019/1312 reg. 6\(3\)\(d\)](#)
- Art. 2(10) inserted by [S.I. 2019/1312 reg. 6\(3\)\(e\)](#)
- Art. 3(4)(c) words inserted by [S.I. 2019/1312 reg. 6\(4\)\(c\)](#)
- Art. 3(4A) inserted by [S.I. 2019/1312 reg. 6\(4\)\(d\)](#)
- Art. 4(8)-(10) inserted by [2020 c. 22 Sch. 11 para. 10\(4\)\(d\)](#)
- Art. 8(3)(a) omitted by [S.I. 2019/1312 reg. 6\(8\)](#)
- Art. 8(5)-(7) inserted by [2020 c. 22 Sch. 11 para. 10\(7\)\(b\)](#)
- Art. 9(1)-(1D) substituted for Art. 9(1) by [S.I. 2019/1312 reg. 6\(9\)\(a\)](#)
- Art. 13(1A)(1B) inserted by [S.I. 2019/1312, reg. 6\(13\)\(ba\) \(as inserted\) by S.I. 2020/1542 reg. 17\(3\)\(b\)](#)