

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	2003/0137(CNS) Procedure completed
Conservation of fish resources: recovery of the Northern hake stock Amended by <a href="#">2008/0216(CNS)</a> Repealed by <a href="#">2018/0074(COD)</a>	
Subject 3.15.01 Fish stocks, conservation of fishery resources	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		09/07/2003
		NI <a href="#">SOUCHET Dominique F.C.</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2575</a>	21/04/2004
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2524</a>	22/07/2003
European Commission	Commission DG <a href="#">Maritime Affairs and Fisheries</a>	Commissioner	

Key events			
27/06/2003	Legislative proposal published	<a href="#">COM(2003)0374</a>	Summary
22/07/2003	Debate in Council	<a href="#">2524</a>	
01/09/2003	Committee referral announced in Parliament		
20/01/2004	Vote in committee		Summary
20/01/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0024/2004</a>	
10/02/2004	Debate in Parliament		
11/02/2004	Decision by Parliament	<a href="#">T5-0088/2004</a>	Summary
21/04/2004	Act adopted by Council after consultation of Parliament		
21/04/2004	End of procedure in Parliament		
30/04/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0137(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2008/0216(CNS)</a> Repealed by <a href="#">2018/0074(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/19763

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0374</a>	27/06/2003	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0024/2004</a>	20/01/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0088/2004</a> OJ C 097 22.04.2004, p. 0137-0559 E	11/02/2004	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Regulation 2004/811</a> <a href="#">OJ L 185 27.05.2004, p. 0001-0003</a> Summary

## Conservation of fish resources: recovery of the Northern hake stock

**PURPOSE** : to establish measures for the recovery of the Northern hake stock. **CONTENT** : the overall objective of the proposal is to ensure the safe recovery of the stock to the precautionary stock sizes advised by scientists within a timeframe of five to ten years. The proposal is written as five chapters: - Chapter 1 : sets out the area covered, which is occupied by Northern hake stock. This comprises Community waters of the North Sea, Skaggerak and Kattegat, West of Scotland, the Channel, the Irish Sea, Celtic Sea, West of Ireland and Bay of Biscay. - Chapter II : sets the target levels. The aim is to increase the quantities of mature fish of the Northern hake stock to values equal to or greater than 143000 tonnes. If for two consecutive years the target level for the Northern hake stock has been reached, the council will decide to replace the recovery plan with a management plan by qualified majority voting. - Chapter III : if the stock is equal to or above 103000 tonnes, a Total Allowable Catch (TAC) will be set. The procedure for setting the TAC is laid out in this Chapter. The TAC will be set so as to aim for a 10% increase in stock size in the following year. If, however, the estimated stock size is well below the minimum level then more severe measures are proposed. The chapter also sets out the details of the principle that the largest annual change, upwards or downwards, in any TAC from one year to the next should not be greater than 15% after the first year of implementation of a recovery plan. These rules on the setting of TACs will be subject to the condition that the precautionary fishing mortality rates recommended by scientists should not be exceeded. The fishing mortality rate must not be greater than 0.24. - Chapter IV : contains the Commission's proposals for the management of a fishing effort limitation scheme - i.e. restricting the time that the fishing vessels concerned may spend fishing to correspond to TACs. For the Northern hake stock, the effort scheme will cover only those areas in which the majority of the stock resides, namely the West of Ireland, Celtic Sea, Bay of Biscay and Western Channel. In simple terms, the system works as follows: - first the overall historical fishing effort of all vessels catching northern hake is calculated; - then the reduction in fishing effort required to match the selected TAC is determined; - this reduction is distributed across Member States in proportion to how much Northern hake they have landed during the reference period in comparison to the total Community landings. These effort limits, expressed in kilowatt-days, will be distributed among their vessels by Member States, within the geographical area to which they apply. The kilowatt-days will be fully transferable and usable within that area at any time throughout the year. - Chapter V : provides for measures in relation to improved monitoring, inspection and control for the vessels covered by the effort management system. These measures include details of prior notification, the requirement to land northern hake in designated ports and stowage and transport conditions. The rules on VMS have been removed since the last proposal, since they will be addressed in a new Regulation. Technical conservation measures have not been included in this regulation, but the Commission may come up with proposals at a later date. It

should be noted that, although no direct reference is made in this Regulation, there will be consequences for TACs in relation to other species associated with Northern hake. This proposal replaces the provisions set out in the revised proposal for a Council Regulation establishing measures for the recovery of cod and Northern hake stocks (refer to CNS/2001/0299).?

## Conservation of fish resources: recovery of the Northern hake stock

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The committee adopted the report by Dominique SOUCHET (Ind, F) amending the proposal under the consultation procedure. It took the view that it would be excessive to introduce a recovery plan for the Northern hake stock and that, in line with the most recent advice from the ICES Advisory Committee for Fisheries Management (ACFM), implementation of a TAC management plan would be enough to ensure sustainable fishing of this species. The committee therefore adapted the text accordingly and deleted a large number of provisions where appropriate, including the article on the setting of TACs in exceptional circumstances which, it said, would seriously disturb business. Taking account of the most recent ICES data on the state of the biomass, the committee said that the target figure for increasing the quantities of mature fish of the Northern hake stock should be 140 000 tonnes rather than 143 000 tonnes as proposed and that the TAC should be set where the quantities of mature Northern hake are estimated to be equal to or above 100 000 tonnes rather than 103 000 tonnes. The management plan should be based on the setting of a TAC that will generate a fishing mortality rate no higher than 0.25, rather than 0.24 as proposed. MEPs also introduced a new article on improving the assessment system, by stepping up scientific campaigns and ensuring that scientific calculations "take due account of the practical observations made by fishermen". Moreover, the Regional Advisory Councils due to be set up under Regulation (EC) No. 2371/2002 should be closely involved in drawing up the management plan and the Commission's proposed socio-economic impact study. The committee also deleted two entire chapters, Chapter IV on fishing effort limitation and Chapter V on monitoring, inspection and surveillance. It stressed again that the ACFM rejected the idea of taking drastic measures for the Northern hake stock and that there was no justification for introducing special control measures.?

## Conservation of fish resources: recovery of the Northern hake stock

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The European Parliament adopted a resolution drafted by Dominique SOUCHET (Ind, F) on the Commission's proposal on Northern hake. (Please see the document dated 20/01/04.) In brief, Parliament felt it unnecessary to introduce a recovery plan for this fishery, given that such measures would be disproportionate to the objectives pursued and would have a serious and unjustifiable socio-economic impact. ?

## Conservation of fish resources: recovery of the Northern hake stock

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PURPOSE : to establish measures for the recovery of the Northern hake stock. LEGISLATIVE ACT : Council Regulation 811/2004/EC establishing measures for the recovery of the northern hake stock. CONTENT : the Council unanimously adopted this Regulation. The Council reached political agreement with the Belgian delegation abstaining. This Regulation establishes a recovery plan for the northern hake stock which inhabits the ICES division III a, ICES subarea IV, ICES divisions V b (Community waters), VI a (Community waters), ICES subarea VII and ICES divisions VIII a, b, d, e (the northern hake stock). The overall objective of the proposal is to ensure the safe recovery of the stock to the precautionary stock sizes advised by scientists within a timeframe of five to ten years. Most of the changes adopted to the Commission proposal concern: - the reduction of the quantities of mature fish in the recovery plan (140 000 tonnes instead of 143 000 tonnes), and the size of the TAC (100 000 tonnes instead of 100 003 tonnes); - the mortality rate for determining the TAC applicable to Northern hake is now 0,25%; - prior notification of the competent authorities by the master of the vessel of the quantities of hake landed applies solely to quantities of two tonnes or over; the quantities in kilograms live weight of regulated species of which more than 50 kg is retained on board. As far as the designated ports are concerned, where more than two tonnes of northern hake are to be landed in the Community from a Community fishing vessel, the master of the vessel shall ensure that such landings are made only at designated ports. Each Member State shall designate ports at which any landing of northern hake in excess of two tonnes shall take place. Each Member State shall transmit to the Commission by 4 June 2004 the list of designated ports and, within 30 days thereafter, associated inspection and surveillance procedures for those ports, including the terms and conditions for recording and reporting the quantities of northern hake within each landing. The Commission shall transmit the information to all Member States. As regards the margin of tolerance, the permitted margin of tolerance in the estimation of quantities of northern hake, in kilograms retained on board, shall be 8 % of the logbook figure. On the issue of transport, the Regulation states that the competent authorities of a Member State may require that any quantity of northern hake caught and first landed in that Member State is weighed in the presence of controllers before being transported elsewhere from the port of first landing. For northern hake first landed in a port designated, representative samples, amounting to at least 20 % of the landings in number, shall be weighed in the presence of controllers authorised by the Member States before they are offered for first sale and sold. To this end, the Member States shall submit to the Commission, by 20 June 2004, details of the sampling regime to be employed. ENTRY INTO FORCE : 20/05/2004.?