

Procedure file

Basic information	
CNS - Consultation procedure Regulation	2008/0091(CNS) Procedure completed
Multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock Amended by 2008/0216(CNS) Repealed by 2018/0074(COD) Subject 3.15.01 Fish stocks, conservation of fishery resources 3.15.04 Management of fisheries, fisheries, fishing grounds Geographical area United Kingdom	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		19/06/2008
	Committee for opinion	PPE-DE STEVENSON Struan	
	ENVI Environment, Public Health and Food Safety	Rapporteur for opinion	Appointed
		The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2917	18/12/2008
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
06/05/2008	Legislative proposal published	COM(2008)0240	Summary
04/06/2008	Committee referral announced in Parliament		
05/11/2008	Vote in committee		Summary
10/11/2008	Committee report tabled for plenary, 1st reading/single reading	A6-0433/2008	
04/12/2008	Results of vote in Parliament		
04/12/2008	Decision by Parliament	T6-0573/2008	Summary
18/12/2008	Act adopted by Council after consultation of Parliament		
18/12/2008	End of procedure in Parliament		
20/12/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2008/0091(CNS)

Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2008/0216(CNS) Repealed by 2018/0074(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/63036

Documentation gateway

Legislative proposal		COM(2008)0240	06/05/2008	EC	Summary
Committee draft report		PE412.172	13/09/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0433/2008	10/11/2008	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0573/2008	04/12/2008	EP	Summary
Commission response to text adopted in plenary		SP(2009)402	29/01/2009	EC	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2008/1300](#)
[OJ L 344 20.12.2008, p. 0006](#) Summary

Multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock

PURPOSE: establishing a multi-annual plan for the stock of herring distributed to the West of Scotland and the fisheries exploiting that stock.

PROPOSED ACT: Council Regulation.

CONTENT: recent scientific advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF) indicates that the stock of herring (*Clupea harengus*) in the seas to the West of Scotland is slightly overexploited with respect to maximum sustainable yield. Advice from scientific agencies, supported by advice from stakeholders, indicates that better management would result from setting total allowable catches in the framework of a multi-annual plan.

The Commission therefore proposes the creation of a multi-annual plan with the objective of ensuring that the stock will be exploited on the basis of maximum sustainable yield and under sustainable economic, environmental and social conditions.

This objective will be attained by:

- maintaining the fishing mortality rate at 0.25 per year on appropriate age-groups when the spawning stock is above 75 000 tonnes;
- maintaining the fishing mortality rate at no more than 0.2 per year on appropriate age-groups when the spawning stock is below 75 000 tonnes but above 50 000 tonnes;
- providing for the closure of the fishery in the event that the spawning stock should fall below 50 000 tonnes.

To ensure stability in the fishing possibilities, it is appropriate to limit the variation in the TACs from one year to the next when the size of the stock is above 75 000 tonnes.

A revision clause is included in the proposal to ensure that the target fishing mortality rates can be amended if appropriate in the light of new scientific information and advice.

The multi-annual plan contains provisions for a review every four years to verify the performance and appropriateness of the management arrangements.

Multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock

The Committee on Fisheries adopted a report drafted by Struan STEVENSON (EPP-ED, UK) and amended the proposal for a Council regulation establishing a multi-annual plan for the stock of herring distributed to the West of Scotland and the fisheries exploiting that stock.

The main amendments ? adopted in the framework of the consultation procedure ? are as follows:

- Members want to provide for a strict recovery plan based on advice from ICES and STECF in the event that the spawning stock should fall below 50 000 tonnes, rather than the closure of the fishery, as the Commission had proposed. They state that, when the spawning of biomass of the stock will be less than 50 000 tonnes in the year for which the TAC is to be fixed, the TAC shall be subject to a strict recovery plan based on advice from ICES and STECF. The Commission had provided that, under these circumstances, the TAC shall be set to 0 tonnes;
- there should be a maximum variation in TAC of 15% per year in any given year when the spawning stock is above 75 000 tonnes and within a maximum variation in TAC of 20% in any given year when the spawning stock is below 75 000 tonnes but above 50 000 tonnes. The Commission had provided for a maximum variation in TAC of 15% per year when the spawning stock is above 75 000 tonnes. The committee felt that The TAC should not vary more than plus or minus 20% from the current TAC in any given year in order to maintain catch stability in the fishery. Considering the importance of the fishery and the uncertainty of the assessment, cuts should be made in a controlled and well managed manner, as well as taking socio-economic factors into consideration. This TAC constraint allows a gradual approach to cutting TACs should the spawning biomass of the stock fall only marginally below the 75 000 tonnes and prevents a drastic cut in TACs which would be set by two different mortality targets;
- a new clause provides that, in any year when ICES and STECF are unable to provide estimates of spawning stock size or fishing mortalities, the TAC should remain unchanged from the previous year. However, in the second and each subsequent year during which no scientific forecast is available, the TAC should be reduced by 10% compared with the previous year;
- the proposal provides that when the spawning biomass of the stock will be less than 75 000 tonnes but greater than 50 000 tonnes in the year for which the TAC is to be fixed, the TAC shall be set at a level which will result in a fishing mortality rate of 0,2 per year. The committee said that where this would result in a TAC level that exceeds the TAC for the preceding year by more than 20%, the Council shall adopt a TAC level which is only 20% greater than the TAC of that year;
- the committee agreed that vessels with the Single Area Licence should not be permitted to fish outside the area of the West of Scotland during the same fishing trip, but large pelagic vessels, such as those used for fishing herring in the area West of Scotland, are able to transmit information on catch statistics electronically and without the need to return to port. Ensuring that vessels transmit the relevant catch report to the Fisheries Monitoring Centre before they leave the area West of Scotland prevents the misreporting of catch statistics;
- revision of minimum fishing mortality rates and associated spawning stock biomass levels are essential elements of the plan and shall be adopted under the normal current legislative procedure, following consultation of the European Parliament ;
- the Commission shall consider a second and independent recruitment index for West of Scotland herring stocks. Where the advice indicates that the targets are not being met, the Council shall decide, in accordance with the consultation procedure, on either or both additional and alternative measures to ensure that the targets are met;
- lastly, for the purpose of Article 21(a)(i) of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund, measures for the implementation of Article 3(2)(c) of this Regulation shall be deemed to be a recovery plan within the meaning of Article 5 of Regulation (EC) No 2371/2002.

Multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock

The European Parliament adopted, by 529 votes to 49 with 9 abstentions, a legislative resolution amending the proposal for a Council regulation establishing a multi-annual plan for the stock of herring distributed to the West of Scotland and the fisheries exploiting that stock. The report had been tabled for consideration in plenary by Struan STEVENSON (EPP-ED, UK) on behalf of the Committee on Fisheries.

The main amendments ? adopted in the framework of the consultation procedure ? are as follows:

- Members want to provide for a strict recovery plan based on advice from ICES and STECF in the event that the spawning stock should fall below 50 000 tonnes, rather than the closure of the fishery, as the Commission had proposed. They state that, when the spawning of biomass of the stock will be less than 50 000 tonnes in the year for which the TAC is to be fixed, the TAC shall be subject to a strict recovery plan based on advice from ICES and STECF. The Commission had provided that, under these circumstances, the TAC shall be set to 0 tonnes;
- there should be a maximum variation in TAC of 15% per year in any given year when the spawning stock is above 75 000 tonnes and within a maximum variation in TAC of 20% in any given year when the spawning stock is below 75 000 tonnes but above 50 000 tonnes. The Commission had provided for a maximum variation in TAC of 15% per year when the spawning stock is above 75 000 tonnes.
- when the spawning biomass of the stock will be less than 75 000 tonnes but greater than 50 000 tonnes in the year for which the TAC is to be fixed, the TAC shall be set at a level which will result in a fishing mortality rate of 0.2 per year. However, Parliament provided that the TAC shall not deviate from the preceding year's TAC by more than 20% in any given year. If appropriate, that level shall be adjusted in accordance with comitology provisions;
- a new clause provides that, in any year when ICES and STECF are unable to provide estimates of spawning stock size or fishing mortalities, the TAC should remain unchanged from the previous year. However, in the second and each subsequent year during which no scientific

forecast is available, the TAC should be reduced by 10% compared with the previous year;

- the proposal provides that when the spawning biomass of the stock will be less than 75 000 tonnes but greater than 50 000 tonnes in the year for which the TAC is to be fixed, the TAC shall be set at a level which will result in a fishing mortality rate of 0,2 per year. Members said that where this would result in a TAC level that exceeds the TAC for the preceding year by more than 20%, the Council shall adopt a TAC level which is only 20% greater than the TAC of that year;

- Parliament agreed that vessels with the Single Area Licence should not be permitted to fish outside the area of the West of Scotland during the same fishing trip, but large pelagic vessels, such as those used for fishing herring in the area West of Scotland, are able to transmit information on catch statistics electronically and without the need to return to port. Ensuring that vessels transmit the relevant catch report to the Fisheries Monitoring Centre before they leave the area West of Scotland prevents the misreporting of catch statistics;

- revision of minimum fishing mortality rates and associated spawning stock biomass levels are essential elements of the plan and shall be adopted under the normal current legislative procedure, following consultation of the European Parliament. The proposal had provided for a plan to be adopted by Council by qualified majority;

- the Commission shall consider a second and independent recruitment index for West of Scotland herring stocks. Where the advice indicates that the targets are not being met, the Council shall decide, in accordance with the consultation procedure, on either or both additional and alternative measures to ensure that the targets are met;

- if appropriate the Council shall decide, in accordance with the consultation procedure (rather than by qualified majority, on appropriate adaptations to the multi-annual plan.

- lastly, for the purpose of Article 21(a)(i) of Council Regulation (EC) No 1198/2006 on the European Fisheries Fund, measures for the implementation of Article 3(2)(c) of this Regulation shall be deemed to be a recovery plan within the meaning of Article 5 of Regulation (EC) No 2371/2002.

Multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock

PURPOSE: to establish a multi-annual plan for the fisheries exploiting the stock of herring (*Clupea harengus*) in the area west of Scotland.

LEGISLATIVE ACT: Council Regulation (EC) No 1300/2008 establishing a multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock.

CONTENT: the Council adopted a Regulation establishing a multi-annual management plan for the stock of herring to the west of Scotland.

The Regulation establishes a multi-annual plan for the fisheries exploiting the stock of herring in the area to the west of Scotland in international and Community waters of ICES zones Vb and VIb, and that part of ICES zone VIa which lies west of the meridian of longitude 7°W and north of the parallel of latitude 55°N, or east of the meridian of longitude 7°W and north of the parallel of latitude 56°N, excluding the Clyde.

It was agreed that the annual variation in the TAC would be limited to 20 % or 25 % depending on the state of the stock, the 2009 TAC being reduced by 20 % by comparison with the 2008 TAC.

The Regulation introduces measures based on the advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF) on that stock of herring (*Clupea harengus*), in particular:

- maintaining the fishing mortality rate for appropriate age groups at: (a) 0.25 per year when the spawning stock is more than 75 000 tonnes; (b) 0.2 per year when the spawning stock is between 50 000 tonnes and 75 000 tonnes;
- the rates may be revised if the objectives of the plan are not achieved;
- when the spawning stock is below 50 000 tonnes, fishing is closed;
- vessels must hold a special fishing permit for the zone concerned;
- Member States will carry out administrative cross-checks by comparing the landing declarations, the fishing areas and catches recorded in the logbook, catch reports and VMS data. Such cross-checks shall be recorded and made available to the Commission on request.

Evaluation and review of the multi-annual plan: the Commission shall request, each year, advice from STECF and the Pelagic Regional Advisory Council on the achievement of the targets of the multi-annual plan. Where the advice indicates that the targets are not being met, the Council will decide by qualified majority on additional and/or alternative measures to ensure that the targets are met.

At least every 4 years from 18/12/2008, the Commission will review the geographical area of application, the biological reference levels and the performance and operation of the multi-annual plan. In the framework of this review, the Commission shall seek the advice of the STECF and of the Pelagic Regional Advisory Council. Where appropriate, the Council must decide by qualified majority on appropriate adaptations to the multi-annual plan, as regards the geographical area of application, the biological reference levels or the rules for setting TACs.

ENTRY INTO FORCE : 23/12/2008.