COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.11.2008
COM(2008) 806 final

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 1579/2007 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks and groups of fish stocks applicable in the Black Sea for 2008

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 1579/2007[1] fixes the fishing opportunities and the conditions relating thereto for certain fish stocks and groups of fish stocks applicable in the Black Sea for 2008.

As part of the political agreement in the Fisheries Council on 27 October 2008 on the fishing possibilities for 2009 in the Black Sea it was agreed to apply the flexibility included for 2009 to the current year as well. This flexibility means that Member States may request to exceed their annual turbot quota by up to 10%. The excess quantity will be deducted from their quota in the following year.

The present proposal intends to introduce the necessary amendment to Regulation (EC) No 1579/2007.

[1] OJ L 346, 29.12.2007, p. 1

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy[2], and in particular Article 20 thereof,

Having regard to Council Regulation (EC) No 847/1996 of 6 May 1996 introducing additional conditions for year-to-year management of TAC's and quotas[3], and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Council Regulation (EC) No 1579/2007[4] fixes the fishing opportunities and the conditions relating thereto for certain fish stocks and groups of fish stocks applicable in the Black Sea for 2008.

(2) While Regulation (EC) No 1579/2007 provides that Article 3 of Regulation (EC) No 847/96 shall not apply to the quota for turbot in the Black Sea for 2008, the current stock situation of the turbot stock would permit such application.

(3) Regulation (EC) No 1579/2007 should thus be amended accordingly.

(4) In view of the urgency of the matter and taking into account that the quota year 2008 will soon be finished, this Regulation should enter into force on the day of its publication in the Official Journal of the European Union

(5) In view of the urgency of the matter, it is also imperative to grant an exception to the six-week period referred to in paragraph I (3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EC) No 1579/2007

In the entry "Turbot" in ANNEX I to Regulation (EC) No 1579/2007, the words "Article 3 of Regulation (EC) No 847/96 does not apply" are replaced by the words "Article 3 of Regulation (EC) No 847/96 applies".

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2 OJ L 358, 31.12.2002, p. 59.
3 OJ L 115, 9.5.1996, p. 3.
4 OJ L 346, 29.12.2007, p. 1.

Article 2

Entry into force

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President