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# COMMISSION REGULATION (EU) 2024/3248

## of 20 December 2024

## reopening the fishery for red seabream in Union and international waters of 9 by vessels flying the flag of Portugal, by repealing Regulation (EU) 2024/1949

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union 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 ([1]), and in particular Article 36(2) thereof,

Whereas:

(1) Council Regulation (EU) 2023/194 ([2]) lays down quotas for 2024.

(2) On 14 June 2024, Portugal notified the Commission, pursuant to Article 35(3) of Regulation (EC) No 1224/2009, of its decision to prohibit fishing for red seabream in Union and international waters of 9 as from 19 June 2024.

(3) Commission Regulation (EU) 2024/1949 ([3]) prohibited fishing for red seabream in Union and international waters of 9 for vessels flying the flag of Portugal.

(4) According to the information received by the Commission on 4 November 2024 from the Portuguese authorities, a quantity is again available to Portugal for the quota for that stock following exchanges of fishing opportunities concluded under Article 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ([4]). Consequently, the fishery for red seabream in Union and international waters of 9 by vessels flying the flag of or registered in Portugal should be reopened until further notice.

(5) That reopening of fishery should take effect on 6 November 2024, in order to allow the quantity of red seabream in question to be fished before the end of the current year.

(6) Regulation (EU) 2024/1949 should therefore be repealed with effect from 6 November 2024.

(7) Such retroactive application does not affect the principle of legal certainty and protection of legitimate expectations as a quota is again available for that stock,

([1]) OJ L 343, 22.12.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1224/oj.

([2]) Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/194/oj).

([3]) Commission Regulation (EU) 2024/1949 of 8 July 2024 establishing a fisheries closure for red seabream in Union and international waters of 9 for vessels flying the flag of Portugal (OJ L, 2024/1949, 12.7.2024, ELI: http://data.europa.eu/eli/reg/2024/1949/oj).

([4]) 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, ELI: http://data.europa.eu/eli/reg/2013/1380/oj).

HAS ADOPTED THIS REGULATION:

*Article 1*

The fishery for red seabream in Union and international waters of 9 for the 2024 fishing season by vessels flying the flag of or registered in Portugal referred to in the Annex is reopened.

Regulation (EU) 2024/1949 is repealed.

*Article 2*

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

It shall apply from 6 November 2024.

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

Done at Brussels, 20 December 2024.

*For the Commission,*
*On behalf of the President,*
Costas KADIS
*Member of the Commission*

*ANNEX*

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|---|---|
| No | 06/TQ194 – Reopening |
| Member State | Portugal |
| Stock | SBR/09- |
| Species | Red seabream (*Pagellus bogaraveo*) |
| Zone | Union and international waters of 9 |
| Closing date | 19 June 2024 |
| Reopening date | 6 November 2024 |