

Council Regulation (EC) No 1287/2009 of 27 November 2009
fixing the fishing opportunities and the conditions relating thereto
for certain fish stocks applicable in the Black Sea for 2010

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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⁽¹⁾, and in particular Article 20 thereof,

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TAC's and quotas⁽²⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 4 of Regulation (EC) No 2371/2002 requires the Council to adopt the necessary measures governing access to areas and resources and the sustainable pursuit of fishing activities taking account of available scientific advice and, in particular, the report prepared by the Scientific, Technical and Economic Committee for Fisheries.
- (2) Under Article 20 of Regulation (EC) No 2371/2002, the Council establishes the fishing opportunities by fishery or group of fisheries and the allocation of those opportunities to Member States.
- (3) In order to ensure effective management of the fishing opportunities, the specific conditions under which fishing operations are carried out should be established.
- (4) Article 3 of Regulation (EC) No 2371/2002 lays down definitions of relevance for the allocation of fishing opportunities.
- (5) In accordance with Article 2 of Regulation (EC) No 847/96, the stocks that are subject to the various measures provided for therein must be identified.
- (6) In order to contribute to the conservation of fish stocks, certain supplementary measures relating to the technical conditions of fishing should be implemented in 2010.
- (7) Fishing opportunities should be used in accordance with Community legislation on the subject, in particular with Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽³⁾ and Council

Changes to legislation: There are currently no known outstanding effects for the Council
Regulation (EC) No 1287/2009, Introductory Text. (See end of Document for details)

Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms⁽⁴⁾.

- (8) In order to reduce discards, it is appropriate to establish a high-grading ban for any species subject to quota, implying a prohibition on discarding species subject to quota that can legally be caught and landed under Community fisheries legislation.
- (9) To ensure the livelihood of Community fishermen, it is important to open these fisheries on 1 January 2010. In view of the urgency of the matter, it is 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:

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1287/2009, Introductory Text. (See end of Document for details)

- (1) OJ L 358, 31.12.2002, p. 59.
- (2) OJ L 115, 9.5.1996, p. 3.
- (3) OJ L 261, 20.10.1993, p. 1.
- (4) OJ L 125, 27.4.1998, p. 1.

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