## ECOREGION Bay of Biscay and Atlantic Iberian waters <br> STOCK Sole in Divisions VIIIa, b (Bay of Biscay)

## Advice for 2015

ICES advises on the basis of the MSY approach that catches in 2015 should be no more than 2407 tonnes. All catches are assumed to be landed.


Figure 7.3.21.1 Sole in Divisions VIIIa, b. Summary of stock assessment (weights in thousand tonnes). Assumed recruitment values are shaded. Top right: SSB and F over the years for the time-series used in the assessment.

The spawning stock increased from a historical low in 2003 but has been decreasing since 2012 and is currently just below MSY $\mathrm{B}_{\text {trigger }}$. During this period, the fishing mortality has been stable around $\mathrm{F}_{\mathrm{pa}}$. The 2012 and 2013 recruitments are the lowest values in the time-series.

## Management plans

A multiannual plan has been agreed by EU in 2006 (EC Reg. No. 388/2006, Annex 7.3.21). The aim of the plan was first to bring the spawning-stock biomass above 13000 tonnes in 2008 and thereafter to ensure the sustainable exploitation of the stock. ICES has not evaluated the plan.

## Biology

Sole is present on nearly all of the Bay of Biscay continental shelf, from the coast to a depth of about 150 m . Adult fish gather in deeper areas to spawn in the first quarter of the year, becoming more vulnerable to exploitation during this period. Juveniles spend their first two years of life on nursery grounds which are located in estuaries and semi-closed coastal areas. The quality of these habitats is consequently essential for sole survival.

## Environmental influence on the stock

Environmental conditions have a large influence on catches of the fixed-net fishery. Those conditions were especially favourable in 2002. Studies in Vilaine Bay showed a significant positive relationship between the fluvial discharges in winter-spring and the size of the local nursery. This localized effect is not apparent for the whole of the Divisions VIIIa,b stock and the impact of this relationship was therefore not taken into account in stock projections.

## The fisheries

The French fleet, which consists mainly of trawlers and fixed-nets, is the major participant in the Bay of Biscay sole fishery with landings comprising about $90 \%$ of the total official international landings over the historical series. The remaining part is landed by the Belgian beam trawler fleet. The landings of the French fixed-net fishery have increased from less than $5 \%$ of total landings prior to 1985 to around $65 \%$ in recent years. This shift between fleets has resulted in a change in the selection pattern towards older fish.

Catch distribution Total catch (2013): 4.2 kt , where 4.2 kt were ICES estimated landings (inshore trawlers 7\%, offshore otter trawlers $18 \%$, offshore beam trawlers 7\%, 68\% fixed nets). Discards are not quantified and considered to be negligible.

## Effects of the fisheries on the ecosystem

A large part of the French fishery is a fixed-net fishery directed on sole. Bycatch of non-commercial species is limited in this fishery.

## Quality considerations

The 2012 low recruitment is estimated fairly well by the survey.
In addition to the two commercial tuning fleets, fisheries-independent data (ORHAGO survey) were incorporated in the assessment last year. This is an improvement in the quality of the assessment.

The catch and SSB in the forecast are dominated by year classes for which geometric mean recruitment is assumed.


Figure 7.3.21.2 Sole in Divisions VIIIa,b. Historical assessment results (final-year recruitment estimates are included, for 2014 the GM was used).

## Scientific basis

Stock data category
Assessment type
Input data

Discards and bycatch
Indicators
Other information
Working group

## 1 (ICES, 2014a).

Age-based analytical assessment (XSA).
Commercial catches (international landings (French and Belgian), ages and length frequencies from catch sampling); one survey index (FR-ORHAGO in 2007-2013); four commercial indices (FR-SABLES and FR-ROCHELLE in 1991-2009, FR-BB-IN-Q4 in 2000-2013, and FR-BB-OFF-Q2 in 2000-2012). Maturity ogive fixed, estimated in 2000. Assumed natural mortalities fixed (0.1).
Not included, considered negligible.
None.
Benchmarked in 2011 and 2013 (ICES, 2011b, 2013a).
Working Group for the Bay of Biscay and the Iberian Waters Ecoregion (WGBIE).

## ECOREGION Bay of Biscay and Atlantic Iberian waters <br> STOCK <br> Sole in Divisions VIIIa, b (Bay of Biscay)

## Reference points

|  | Type | Value | Technical basis |
| :--- | :--- | :--- | :--- |
| MSY <br> approach | MSY $\mathrm{B}_{\text {trigger }}$ | 13000 t | $\mathrm{B}_{\mathrm{pa}}$ (provisional estimate). |
|  | $\mathrm{F}_{\mathrm{MSY}}$ | 0.26 | $\mathrm{F}_{\text {max }}$ (ICES, 2010) because stock-recruitment relationship, limited <br> variations of recruitment, and fishing mortality pattern are known <br> with low uncertainty. |
|  | $\mathrm{B}_{\text {lim }}$ | Not defined. |  |
|  | $\mathrm{B}_{\mathrm{pa}}$ | 13000 t | The probability of reduced recruitment increases when SSB is <br> below 13000 t, based on the historical development of the stock. |
|  | $\mathrm{F}_{\text {lim }}$ | 0.58 | Based on the historical response of the stock. |
|  | $\mathrm{F}_{\mathrm{pa}}$ | 0.42 | $\mathrm{~F}_{\text {lim }} \times 0.72$. |

(Last changed in: 2010)

## Outlook for 2015

$\mathrm{F}(2014)=\left(\mathrm{F}_{\mathrm{sq}}=\right.$ mean $\left.\mathrm{F}(2011-2013)\right)=0.42 ; \mathrm{SSB}(2015)=13.763 ; \mathrm{R}(2014$ age 2$)=(\mathrm{GM}(1993-2011)=$
22.7 million; catches $(2014)=$ landings $=3.435$; discards $=$ negligible .

| Rationale | $\begin{aligned} & \text { Catch } \\ & (2015) \end{aligned}$ | Basis | $\begin{aligned} & \text { F total } \\ & (2015) \end{aligned}$ | $\underset{(2016)}{\text { SSB }}$ | \%SSB change 1) | \%TAC change |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| MSY approach | 2.407 | $\mathrm{F}_{\text {MSY }}$ | 0.26 | 16.105 | 17\% | -37\% |
| Precautionary approach | 3.675 | $\mathrm{F}_{\mathrm{pa}}$ | 0.42 | 14.699 | 7\% | -3\% |
| Zero catch | 0.0 | $\mathrm{F}=0$ | 0.00 | 18.795 | 37\% | -100\% |
| Other options | 421 | $\mathrm{F}_{\text {sq }} \times 0.1$ | 0.04 | 18.324 | 33\% | -89\% |
|  | 1.026 | $\mathrm{F}_{\text {sq }} \times 0.25$ | 0.10 | 17.646 | 28\% | -73\% |
|  | 1.976 | $\mathrm{F}_{\text {sq }} \times 0.5$ | 0.21 | 16.584 | 20\% | -48\% |
|  | 2.853 | $\mathrm{F}_{\mathrm{sq}} \times 0.75$ | 0.31 | 15.609 | 13\% | -25\% |
|  | 3.219 | $-15 \%$ TAC ( $\left.\mathrm{F}_{\text {sq }} \times 0.86\right)$ | 0.36 | 15.203 | 10\% | -15\% |
|  | 3.668 | $\mathrm{F}_{\mathrm{sq}} \times 1$ | 0.42 | 14.706 | 7\% | -3\% |
|  | 3.791 | $0 \% \mathrm{TAC}\left(\mathrm{F}_{\mathrm{sq}} \times 1.04\right)$ | 0.44 | 14.570 | 6\% | 0\% |
|  | 4.362 | $+15 \%$ TAC ( $\left.\mathrm{F}_{\mathrm{sq}} \times 1.23\right)$ | 0.52 | 13.938 | 1\% | 15\% |

Weights in thousand tonnes.
${ }^{1)}$ SSB 2016 relative to SSB 2015.
${ }^{2)}$ Catch 2015 relative to TAC 2014.

## Management plan

The multiannual plan for the Bay of Biscay sole (EC Reg. No. 388/2006) does not provide any basis for a TAC advice for 2015.

## MSY approach

Applying the MSY approach implies a fishing mortality at the $\mathrm{F}_{\text {MSY }}=0.26$ in 2015. It results in catches that should be no more than 2407 t in 2015. This is expected to lead to an SSB of 16105 t in 2016, which is above $\mathrm{B}_{\mathrm{pa}}$. All catches are assumed to be landed.

## Precautionary approach

The fishing mortality in 2014 should be no more than $\mathrm{F}_{\mathrm{pa}}$, corresponding to catches of less than 3675 t in 2015. This is expected to keep SSB above $\mathrm{B}_{\mathrm{pa}}$ in 2016 (14 699 t ). All catches are assumed to be landed.

## Additional considerations

## Management considerations

The aim of the management plan was first to bring the spawning-stock biomass above 13000 tonnes. This target is estimated to have been achieved. According to the plan, the Council must decide on (a) a long-term target fishing mortality rate; and (b) the rate of reduction in the fishing mortality that should apply until the target fishing mortality rate decided under (a) has been reached. The EC has not yet defined the values for items (a) and (b).

A proposal for a management plan for sole in the Bay of Biscay has been evaluated by ICES (ICES, 2013b, 2014c). It aims to decrease fishing mortality by applying a constant TAC to reach $\mathrm{F}_{\text {MSY }}$ in 2015-2020. ICES considered the plan to be precautionary for all the TAC values tested, with very low probabilities of SSB falling below $13000 \mathrm{t}\left(\mathrm{B}_{\mathrm{pa}}\right)$, and that fixed TAC values equal to or lower than 4300 t would allow F to reach $\mathrm{F}_{\text {MSy }}$ before 2020.
$\mathrm{F}_{\text {MSY }}$ is based on $\mathrm{F}_{\text {max }}$, but this value is ill defined. The current $\mathrm{F}_{\max }$ is higher than was calculated using the 2010 data. The basis for $\mathrm{F}_{\text {MSY }}$ may need to be reevaluated.

## Uncertainty in the assessment and forecast

The estimate of the recruitment in 2013 is based on a survey index that is considered reliable. The incorporation of the Orhago survey in the assessment (2013) is considered to have improved the quality of the assessment. The contribution of assumed recruitment in the predicted catches does, however, remain substantial.

## Comparison of the basis of previous assessment and advice

Compared to the 2013 assessment, the SSB in 2013 was revised downwards by $16 \%$ and the F in 2012 downwards by $8 \%$.

The basis for the advice is the same as last year: the MSY approach.


Figure 7.4.21.3 Sole in Divisions VIIIa,b. Stock-recruitment relationship (left panel) and yield- and spawning-stock biomass-per-recruit (right panel).

## Sources

ICES. 2010. Report of the Working Group on the Assessment of Southern Shelf Stocks of Hake, Monk, and Megrim (WGHMM), 5-11 May 2010, Bilbao, Spain. ICES CM 2010/ACOM:11.
ICES. 2011a. Report of the Working Group on the Assessment of Southern Shelf Stocks of Hake, Monk, and Megrim (WGHMM), 5-11 May 2011, ICES Headquarters, Copenhagen. ICES CM 2011/ACOM:11.
ICES. 2011b. Report of the Benchmark Workshop on Flatfish (WKFLAT), 1-8 February 2011, Copenhagen, Denmark. ICES CM 2011/ACOM:39. 257 pp.
ICES. 2012. Report of the Working Group on the Assessment of Southern Shelf Stocks of Hake, Monk, and Megrim (WGHMM), 10-16 May 2012, ICES Headquarters, Copenhagen. ICES CM 2012/ACOM:11.
ICES. 2013a. Report of the Working Group on the Assessment of Southern Shelf Stocks of Hake, Monk, and Megrim (WGHMM), 10-16 May 2013, ICES Headquarters, Copenhagen. ICES CM 2013/ACOM:11A. 701 pp.
ICES. 2013b. EU request for the evaluation of the harvest control rule for sole in the Bay of Biscay. In Report of the ICES Advisory Committee, 2013. ICES Advice 2013, Book 7, Section 7.3.5.2.
ICES. 2014a. Advice basis. In Report of the ICES Advisory Committee, 2014. ICES Advice 2014, Book 1, Section 1.2.
ICES. 2014b. Report of the Working Group for the Bay of Biscay and the Iberian Waters Ecoregion (WGBIE), 7-13 May 2014, Lisbon, Portugal. ICES CM 2014/ACOM:11. 714 pp.
ICES. 2014c. EU request for clarification on the request for the evaluation of the harvest control rule for sole in the Bay of Biscay, October 2013. In Report of the ICES Advisory Committee, 2014. ICES Advice 2014, Book 7, Section 7.2.3.1.

Table 7.3.21.1 Sole in Divisions VIIIa,b. ICES advice management and landings, discards, and catches.

| Year | ICES Advice | Predicted catch corresp. to advice | Agreed <br> TAC | Official <br> landings | ICES <br> landings | Discards | ICES <br> catch |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1987 | Not assessed | - | 4.4 | 4.4 | 5.1 | $0.2{ }^{\text {c }}$ | 5.3 |
| 1988 | Precautionary TAC | 3.7 | 4.0 | 4.4 | 5.4 | $0.3{ }^{\text {c }}$ | 5.6 |
| 1989 | No increase in effort; TAC | 4.5 | 4.8 | $5.8{ }^{\text {a }}$ | 5.8 | $0.4{ }^{\text {c }}$ | 6.2 |
| 1990 | No increase in F; TAC | 5.1 | 5.2 | $5.5^{\text {a }}$ | 5.9 | $0.3{ }^{\text {c }}$ | 6.2 |
| 1991 | Precautionary TAC | 4.7 | 5.3 | $4.7{ }^{\text {a }}$ | 5.6 | $0.2{ }^{\text {c }}$ | 5.8 |
| 1992 | $\mathrm{F}=\mathrm{F}(90)$ | 5.0 | 5.3 | $6.4{ }^{\text {a }}$ | 6.6 | $0.1{ }^{\text {c }}$ | 6.7 |
| 1993 | No long-term gain in increasing F | - | 5.7 | 6.5 | 6.4 | $0.1{ }^{\text {c }}$ | 6.5 |
| 1994 | No long-term gain in increasing F | - | 6.6 | 7.1 | 7.2 | $0.2{ }^{\text {c }}$ | 7.4 |
| 1995 | No long-term gain in increasing F | $5.4{ }^{\text {b }}$ | 6.6 | 5.9 | 6.2 | $0.1{ }^{\text {c }}$ | 6.3 |
| 1996 | No increase in F | 5.0 | 6.6 | 4.3 | 5.9 | $0.1{ }^{\text {c }}$ | 6.0 |
| 1997 | 40\% reduction in F | 3.1 | 5.4 | 5.0 | 6.3 | 0.1 | 6.4 |
| 1998 | No increase in F | 7.6 | 6.0 | $4.3{ }^{\text {d }}$ | 6.0 | 0.1 | 6.1 |
| 1999 | Reduce F below $\mathrm{F}_{\mathrm{pa}}$ | $<5.0$ | 5.4 | $3.8{ }^{\text {d }}$ | 5.2 | 0.2 | 5.4 |
| 2000 | F at $\mathrm{F}_{\mathrm{pa}}$ | $<5.8$ | 5.8 | $5.7{ }^{\text {d }}$ | 5.7 | 0.1 | 5.8 |
| 2001 | TAC 2001, at most TAC 2000 | $<5.8$ | 6.3 | $4.9{ }^{\text {d }}$ | 4.8 | 0.0 | 4.9 |
| 2002 | Establish rebuilding plan or no fishing | - | 4.0 | 4.0 | 5.5 | 0.0 | 5.5 |
| 2003 | Establish rebuilding plan or no fishing | - | 3.8 | 4.1 | 4.1 | 0.0 | 4.0 |
| 2004 | 65\% reduction in F or recovery plan ${ }^{\text {e }}$ | <2.0 | 3.6 | 4.1 | 4.0 | - | - |
| 2005 | F at $\mathrm{F}_{\mathrm{pa}}$ | $<4.1$ | 4.14 | 4.4 | 4.5 | - | - |
| 2006 | F at $\mathrm{F}_{\mathrm{pa}}$ | < 4.2 or management plan | 4.1 | 4.4 | 4.8 | - | - |
| 2007 | Management plan: 10\% reduction in F | 4.54 | 4.54 | 4.1 | 4.4 | - | - |
| 2008 | Reach $\mathrm{B}_{\mathrm{pa}}$ in 2009 | 3.85 | 4.58 | 3.3 | 4.3 | - | - |
| 2009 | F at $\mathrm{F}_{\mathrm{pa}}$ | < 4.43 | 4.39 | 4.8 | 3.6 | - | - |
| 2010 | F at $\mathrm{F}_{\text {status quo }}$ | < 4.9 | 4.83 | 4.7 | 4.0 |  |  |
| 2011 | See scenarios | - | 4.25 | 4.6 | 4.6 |  |  |
| 2012 | MSY transition | 4.0 | 4.25 | $4.2{ }^{\text {f }}$ | $4.3{ }^{\text {f }}$ |  |  |
| 2013 | MSY transition | 3.5 | 4.1 | 4.5 | 4.2 |  |  |
| 2014 | MSY transition | 3.270 | 3.8 |  |  |  |  |
| 2015 | MSY approach | 2.407 |  |  |  |  |  |

Weights in thousand tonnes.
${ }^{\text {a }}$ Not reported for all countries.
${ }^{\mathrm{b}}$ Landings assuming current discarding practise.
${ }^{\text {c }}$ Discards revised in 1998.
${ }^{\text {d }}$ Preliminary. TAC in 2001 increased from 5.8 to 6.3 in November.
${ }^{\mathrm{e}}$ Single-stock boundaries and the exploitation of this stock should be conducted in the context of mixed fisheries.
${ }^{\mathrm{f}}$ A carry-over of $10 \%$ for the French quota was decided.

Table 7.3.21.2 Sole in Divisions VIIIa, b. Landings by country (tonnes).

| Year | Official landings |  |  |  |  |  | ICES | Discards ${ }^{2}$ |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Belgium | France ${ }^{1}$ | Netherlands | Spain | Others | Total | landings |  | catches |
| 1979 | 0 | 2376 |  | 62* |  | 2443 | 2619 | - | - |
| 1980 | 33* | 2549 |  | 107* |  | 2689 | 2986 | - | - |
| 1981 | 4* | 2581* | 13* | 96* |  | 2694 | 2936 | - | - |
| 1982 | 19* | 1618* | 52* | 57* |  | 1746 | 3813 | - | - |
| 1983 | 9* | 2590 | 32* | 38* |  | 2669 | 3628 | - | - |
| 1984 | na | 2968 | 175* | 40* |  | 3183 | 4038 | 99 | 4137 |
| 1985 | 25* | 3424 | 169* | 308* |  | 3925 | 4251 | 64 | 4315 |
| 1986 | 52* | 4228 | 213* | 75* |  | 4567 | 4805 | 27 | 4832 |
| 1987 | 124* | 4009 | 145* | 101* |  | 4379 | 5086 | 198 | 5284 |
| 1988 | 135* | 4308 |  | 0 |  | 4443 | 5382 | 254 | 5636 |
| 1989 | 311* | 5471 |  | 0 |  | 5782 | 5845 | 356 | 6201 |
| 1990 | 301* | 5231 |  | 0 |  | 5532 | 5916 | 303 | 6219 |
| 1991 | 389* | 4315 |  | 3 |  | 4707 | 5569 | 198 | 5767 |
| 1992 | 440* | 5928 |  | 0 |  | 6359 | 6550 | 123 | 6673 |
| 1993 | 400* | 6096 |  | 13 |  | 6496 | 6420 | 104 | 6524 |
| 1994 | 466* | 6627 |  | 2*** |  | 7095 | 7229 | 184 | 7413 |
| 1995 | 546* | 5326 |  | 0 |  | 5872 | 6205 | 130 | 6335 |
| 1996 | 460* | 3842 |  | 0 |  | 4302 | 5854 | 142 | 5996 |
| 1997 | 435* | 4526 |  | 0 |  | 4961 | 6259 | 118 | 6377 |
| 1998 | 469* | 3821 | 44 | 0 |  | 4334 | 6027 | 127 | 6154 |
| 1999 | 504 | 3280 |  | 0 |  | 3784 | 5249 | 110 | 5359 |
| 2000 | 451 | 5293 |  | 5*** |  | 5749 | 5760 | 51 | 5811 |
| 2001 | 361 | 4350 | 201 | 0 |  | 4912 | 4836 | 39 | 4875 |
| 2002 | 303 | 3680 |  | $2^{* * *}$ |  | 3985 | 5486 | 21 | 5507 |
| 2003 | 296 | 3805 |  | 4*** |  | 4105 | 4108 | 20 | 4128 |
| 2004 | 324 | 3739 |  | 9*** |  | 4072 | 4002 | - | - |
| 2005 | 358 | 4003 |  | 10 |  | 4371 | 4539 | - | - |
| 2006 | 393 | 4030 |  | 9 |  | 4432 | 4793 | - | - |
| 2007 | 401 | 3707 |  | 9 |  | 4117 | 4363 | - | - |
| 2008 | 305 | 3018 |  | 11 | 2* | 3336 | 4299 | - | - |
| 2009 | 364 | 4391 |  |  |  | 4755 | 3650 | - | - |
| 2010 | 451 | 4248 |  |  |  | 4699 | 3966 | - | - |
| 2011 | 386 | 4259 |  |  |  | 4645 | 4632 | - | - |
| 2012 | 385 | 3819 |  |  |  | 4204 | 4321 | - | - |
| 2013 | 312 | 4181 |  |  |  | 4492 | 4234** | - | - |

${ }^{1}$ Including reported in Subarea VIII or Divisions VIIIc,d.
${ }^{2}$ Discards = partial estimates for the French offshore trawlers fleet.

* Reported in Subarea VIII.
** Preliminary.
*** Reported as Solea spp. (Solea lascaris and Solea solea in Subarea VIII.

| Year | Recruitment Age 2 thousands | SSB | Landings tonnes | $\begin{aligned} & \text { Mean F } \\ & \text { Ages 3-6 } \end{aligned}$ |
| :---: | :---: | :---: | :---: | :---: |
| 1984 | 24168 | 12323 | 4038 | 0.312 |
| 1985 | 29535 | 13370 | 4251 | 0.307 |
| 1986 | 28365 | 14485 | 4805 | 0.365 |
| 1987 | 24939 | 15489 | 5086 | 0.37 |
| 1988 | 26755 | 15372 | 5382 | 0.399 |
| 1989 | 28190 | 14481 | 5845 | 0.495 |
| 1990 | 32127 | 14844 | 5916 | 0.452 |
| 1991 | 35773 | 14822 | 5569 | 0.418 |
| 1992 | 35365 | 16007 | 6550 | 0.605 |
| 1993 | 24922 | 16410 | 6420 | 0.523 |
| 1994 | 26261 | 15891 | 7229 | 0.644 |
| 1995 | 23631 | 14288 | 6205 | 0.572 |
| 1996 | 29458 | 13872 | 5854 | 0.541 |
| 1997 | 23726 | 13377 | 6259 | 0.606 |
| 1998 | 22585 | 13303 | 6027 | 0.536 |
| 1999 | 24431 | 12397 | 5249 | 0.62 |
| 2000 | 24972 | 11915 | 5760 | 0.623 |
| 2001 | 16933 | 10629 | 4836 | 0.568 |
| 2002 | 24951 | 9823 | 5486 | 0.826 |
| 2003 | 24532 | 9671 | 4108 | 0.482 |
| 2004 | 17143 | 11244 | 4002 | 0.366 |
| 2005 | 18421 | 11611 | 4539 | 0.457 |
| 2006 | 19003 | 12317 | 4793 | 0.431 |
| 2007 | 18197 | 11529 | 4363 | 0.441 |
| 2008 | 18971 | 11544 | 4299 | 0.47 |
| 2009 | 36376 | 11558 | 3650 | 0.434 |
| 2010 | 22598 | 13781 | 3966 | 0.381 |
| 2011 | 22091 | 15919 | 4632 | 0.365 |
| 2012 | 11120 | 15340 | 4321 | 0.424 |
| 2013 | 10678 | 13709 | 4234 | 0.469 |
| 2014 | 22699* | 12752 |  |  |
| Average | 24159 | 13357 | 5122 | 0.483 |

* GM (1993-2011).


## Annex 7.3.21 Extract from multiannual plan for Bay of Biscay sole in Divisions VIIIa and VIIIb: Council Regulation (EC) No. 388/2006

Article 2
Objective of the management plan

1. The plan shall aim to bring the spawning stock biomass of Bay of Biscay sole above the precautionary level of 13000 tonnes in 2008 or before and, thereafter, to ensure its sustainable exploitation.
2. This objective shall be attained by gradually reducing the fishing mortality rate on the stock.

Article 3
Legislative measures and annual TAC setting

1. Once the spawning stock biomass is evaluated by ICES to be equal to or above the precautionary level of 13 000 tonnes, the Council shall decide by qualified majority, on the basis of a Commission proposal, on:
(a) a long-term target fishing mortality rate; and
(b) a rate of reduction in the fishing mortality rate for application until the target fishing mortality rate decided under (a) has been reached.
2. Each year the Council shall decide by qualified majority, on the basis of a proposal from the Commission, on a TAC for the following year for Bay of Biscay sole.

Article 4
Procedure for setting the TAC

1. Where the spawning stock biomass of Bay of Biscay sole has been estimated by the Scientific, Technical and Economic Committee for Fisheries (STECF), in the light of the most recent report from ICES, to be below 13000 tonnes, the Council shall decide on a TAC which, according to the STECF estimation, shall not exceed a level of catches which will result in a $10 \%$ reduction in fishing mortality rate in its year of application compared to the fishing mortality rate estimated for the preceding year.
2. Where the spawning stock biomass of Bay of Biscay sole has been estimated by the STECF, in the light of the most recent report from ICES, to be equal to or above 13000 tonnes, the Council shall decide on a TAC which shall be set at a level of catches which, according to the STECF estimation, is the higher of:
(a) that TAC whose application conforms with the reduction in fishing mortality rate that has been decided on by the Council in accordance with Article 3(1)(b);
(b) that TAC whose application will result in the target fishing mortality rate that has been decided on by the Council in accordance with Article 3(1)(a).
3. Where application of paragraph 1 or 2 of this Article would result in a TAC which exceeds the TAC of the preceding year by more than $15 \%$, the Council shall adopt a TAC which is $15 \%$ greater than the TAC of that year.
4. Where application of paragraph 1 or 2 would result in a TAC which is more than $15 \%$ less than the TAC of the preceding year, the Council shall adopt a TAC which is 15 \% less than the TAC of that year.
