

HILLMAN COM/19/4

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 752 final.

Brussel, 20 december 1978

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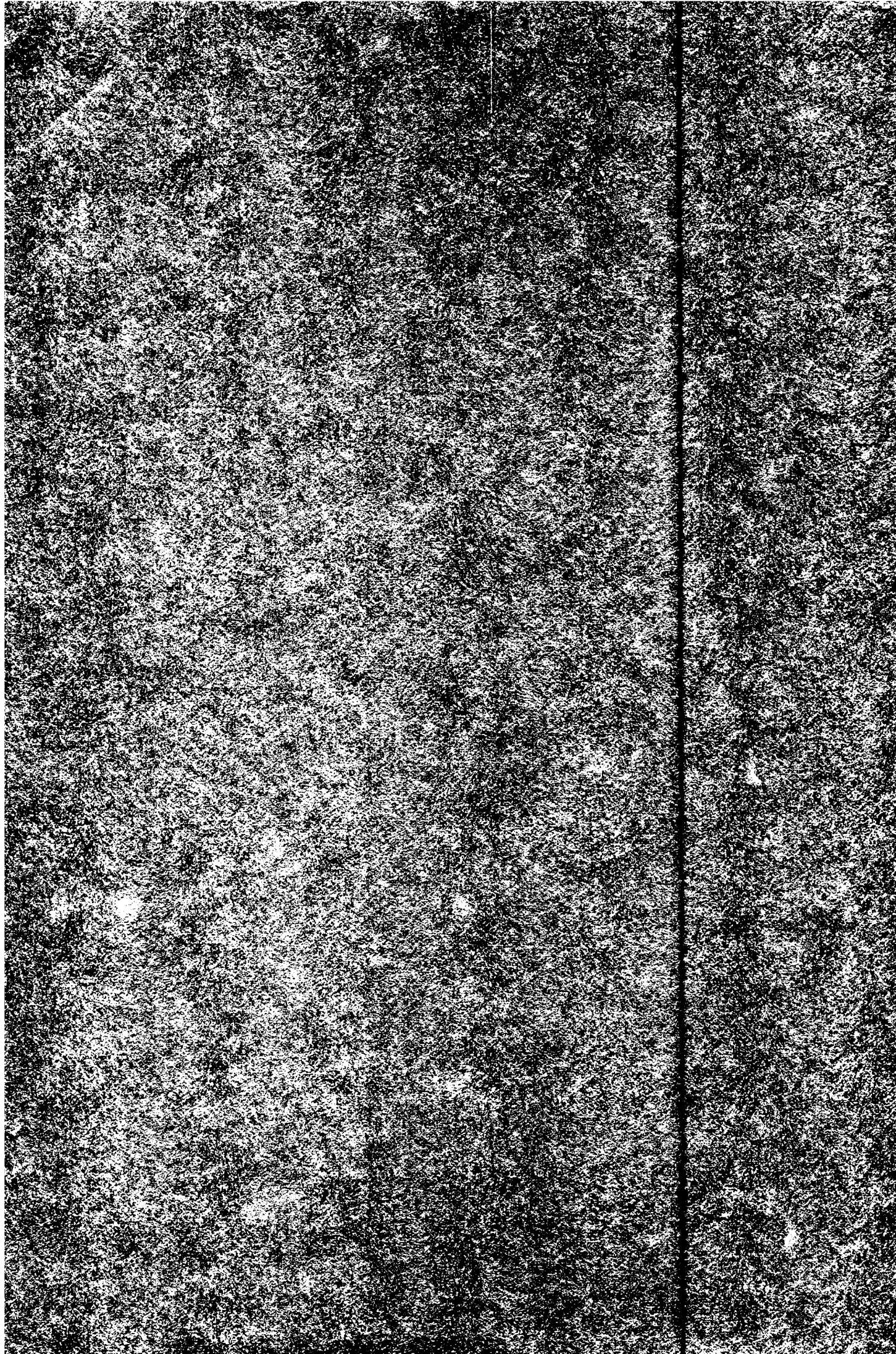
Proposal for a

REGULATION (EEC) OF THE COUNCIL

laying down certain interim measures for the conservation
and management of fishery resources applicable to vessels
flying the flag of Sweden

(submitted to the Council by the Commission)

COM(78) 752 final.



EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and Sweden about their reciprocal fishing rights in 1979 have not been concluded in time to make it possible to adopt before 31 December 1978 final arrangements for 1979 based on the conclusions of the said consultations.

In order to avoid an interruption of the reciprocal fishing from 1. January 1979 the two delegations have agreed to recommend to their authorities that they adopt interim arrangements valid from 1. January to 28 February 1979 in order to allow the conclusion of consultations and the adoption of definitive arrangements for 1979. It is the purpose of the Regulation hereby proposed to establish an interim regime allowing fishing from Swedish vessels in the Community zone for the said period. Sweden will adopt an interim regime permitting fishing from Community vessels in the Swedish fishing zone during the same period, provided the Council adopts the Regulation hereby proposed.

The quotas provided for in the proposed Regulation are based on 1/6 of the yearly quotas for 1979 offered by the Community to Sweden during the said consultations taking into account, however the seasonal variations in fisheries in regard to certain species.

COUNCIL REGULATION (EEC) No

of

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas on 3 November 1976 the Council adopted a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Community and the Kingdom of Sweden have signed a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas fishing from Swedish vessels in the Community's fishing zone is authorized until 31 December 1978 by virtue of Council Regulation (EEC) No 1850/78 of 25 July 1978 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden (1);

Whereas consultations between delegations from the Community and Sweden about their reciprocal fishing rights in 1979 have not been concluded in time to make possible the adoption before 31 December 1978 of final arrangements for 1979 based on the conclusions of the said consultations;

(1) O.J. N° L 211, 1.8.78 p. 20

Whereas the two delegations have recommended to their authorities that they adopt interim arrangements to permit the continuation of their reciprocal fishing pending the adoption of definitive arrangements for 1979;

Whereas in order to prevent interruption of fishing from Swedish vessels in the Community zone appropriate measures will have to be adopted before 1 January 1979;

Whereas it is necessary to adopt such measures on the basis of Article 103 of the Treaty subject to their being included at a later date in the common agricultural policy;

HAS ADOPTED THIS REGULATION :

Article 1

1. The catches which vessels flying the flag of Sweden are authorized to make during the period 1 January to 28 February 1979 in the 200 nautical-mile fishing zones of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, the Davis Strait, Baffin Bay and the Atlantic Ocean north of 43°00' N which are covered by Community rules on fisheries shall be limited to the quotas set out in the Annex.
2. Notwithstanding paragraph 1 unavoidable by catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.
3. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

Article 2

1. Vessels fishing under the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in the zones referred to in Article 1.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information specified in Annex II to Regulation (EEC) no 1850/78 is to be entered.
3. Vessels referred to in paragraph 1 shall transmit to the Commission, according to the rules set out in Annex III to Regulation (EEC) no 1850/78 the information specified in that Annex.
4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides.

Article 3

1. Fishing within ICES sub-areas IV and VI under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence.
2. The number of licences which may be issued for the purpose of paragraph 1 including those which remain valid according to paragraph 3 shall be limited to 112.
3. Licences issued pursuant to Regulation (EEC) no. 2578/78 of 30 October 1978 laying down the number of licences for vessels flying the flag of Sweden for fishing within the 200-mile fishing zones of the Member States (1) shall remain valid if so requested by Swedish authorities until 28 February 1979 at the latest.

Article 4

When an application for a licence is submitted to the Commission, the following information shall be supplied:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;

- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) intended area of fishing;
- (k) species for which it is intended to fish;
- (l) period for which a licence is requested.

Article 5

Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

Article 6

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 7

Where an infringement is duly established the Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

Article 8

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

It shall apply until 28 February 1979.

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

Done at Brussels

For the Council
The President

ANNEX

FISHING QUOTAS FOR THE PERIOD 1 JANUARY TO 28 FEBRUARY 1979

Species	ICES division	Quantity (tonnes)
Cod	IIIbed	250
	IIIa) North (Skagerrak)	165 (1)
	IIIa) South (Kattegat)	560 (1)
	IV	65
Haddock	IIIa	415 (1)
	IV	100
Whiting	IIIa) North (Skagerrak)	65 (1)
	IIIa) South (Kattegat)	90 (1)
	IV	16
Plaice	IIIa) North (Skagerrak)	65 (1)
	IIIa) South (Kattegat)	65 (1)
	IV	13
Mackerel	IV + IIIa North (Skagerrak)	850 (2)
Sprat	IV	2.920
	IIIa	6.000 (1)
Blue whiting	IV, VI (3)	660
Herring	IIIa) North (Skagerrak)(4)	575 (1)
	IIIa) South (Kattegat)	2.500 (1)
	IIIb, c, d,	500
	IV	p.m.
Ling	IV, VI (3)	65
Salmon	IIIb,c,d.	4

- (1) To be reduced by the quantities taken in the parts of Skagerrak under Norwegian and Swedish jurisdiction and/or in the part of Kattegat under Swedish jurisdiction.
- (2) of which 625 tonnes in ICES division IV, north of 60° N and West of 2° E.
- (3) north of 56°30' N
- (4) east of the line connecting Lindesnes to Hanstholm.