

HILMAN

COMMISSION OF THE EUROPEAN COMMUNITIES

COM1924

COM(79) 525 final.

Brussels, 9 October 1979

MAR 10 1980

Proposal for a
COUNCIL REGULATION (EEC)
on the charging by the Community of a fee for permits authorizing
a vessel flying the flag of a Member State of the Community to
fish for salmon in the Swedish fishing zone

(submitted to the Council by the Commission)

COM(79) 525 final.



EXPLANATORY MEMORANDUM

1. The Commission has put before the Council a recommendation for the signature and conclusion of an agreement between the Community and the Swedish Government on measures to promote salmon breeding in the Baltic Sea¹. The agreement provides for a Community contribution towards the cost of salmon stocking programmes implemented by the Swedish Government in return for salmon catch quotas for Community fishermen in the Swedish fishing zone.

2. It seems fair that the fishermen hoping to benefit from these additional fishing possibilities should bear some of the cost entailed.

If the Community decided to meet the full cost it might be thought unfair that other Community fishermen must themselves pay the fees charged by some non-member countries for permission to fish in their waters.

Moreover, the Danish fishermen - who are by tradition the most interested in salmon fishing in the Baltic Sea - have already contributed to these breeding measures through a tax charged by the Danish Government on salmon landings, the proceeds of which are paid to the Swedish authorities.

Naturally, this tax would be abolished after adoption of the regulation proposed here.

3. The Commission considers that the most appropriate way of getting the fishermen in question to contribute to the cost is to charge a fee for fishing permits granted by Sweden, such permits to be issued to fishermen through the Commission and the Member States.

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4. The Commission proposes that the amount of the fee be calculated each year by the following method:

- (a) The average fee per permit would be calculated on the following formula:

$$\frac{k \cdot s}{n}$$

where

- s = the sum to be paid by the Community to Sweden for the year in question in accordance with the agreement
n = the maximum number of permits that may be issued
k = a coefficient to be fixed every year by the Council between 0.50 and 0.75.

- (b) Should it emerge that the catch capacity of the vessels concerned varies considerably according to their tonnage, the fee will be calculated for each category of vessels on the basis of their catch capacity.

5. An example of the application of this method to the amounts agreed between the Community and Sweden for 1979, if the coefficient k is fixed at 0.75, is given below:

s = 2 million Swedish crowns

n = 50

Average fee per vessel = $\frac{0.75 \cdot 2 \text{ million}}{50}$ = 30,000 Swedish crowns = (approx.) 5,100 ECU.

Total catch quota = 325,000 kg

therefore, average catch per vessel = $325,000 : 50 = 6,500$ kg

at an estimated value of 35 Danish crowns/kg

or $6,500 \cdot 35 = \text{DKR } 227,500 = (\text{approx.}) 32,300$ ECU

The fee therefore corresponds to approximately 15.8 % of the estimated value of the average catch per vessel.

However, in 1979 the Community did not pay the full contribution, as laid down in the agreement, for the quota of 300 t agreed for 1979.

6. During the consultations held for the purpose of fixing the quotas for 1979, the Swedish Delegation agreed to grant a quota of 300 t of salmon for the Community subject to a firm commitment by the Community's representative that the Community would pay 2 million Swedish crowns towards the breeding measures carried out in 1979. The representatives of all the Member States taking part in these consultations accepted this commitment.

7. Revenue from the fees shall be made over to the Community budget under the heading of "Other receipts", destined to offset in part the expenses incurred under the Agreement with Sweden. It would consequently be a receipt directly covered by Article 43 as well as Article 40 paragraph 4 of the Treaty and should not, therefore, be considered as "own resources" in the sense of the Decision of 21 April 1970.

PROPOSAL FOR
COUNCIL REGULATION (EEC)

on the charging by the Community of a fee for permits
authorizing a vessel flying the flag of a Member
State of the Community to fish for salmon in
the Swedish fishing zone.

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament¹,

Whereas the Council has approved the Agreement between the European Economic Community and the Swedish Government relating to certain measures intended to promote the reproduction of salmon in the Baltic Sea²;

Whereas under this Agreement the Community has undertaken to contribute towards the cost of measures implemented by Sweden in order to promote salmon breeding in the Baltic Sea, and whereas such measures are likely to increase the catch potential of certain Community fishermen;

Whereas it is fair that the fishermen hoping to benefit from the additional fishing opportunities acquired through the Agreement and the more advantageous fishing conditions available thereunder should bear some of the cost involved, by means of a fee payable to the Community intended to offset in part the expenses incurred;

HAS ADOPTED THIS REGULATION:

(1) OJ No.

(2) OJ No.

Article 1

1. Salmon fishing by Community vessels in the Swedish fishing zone shall be subject to payment of a fee to the Community.
2. The fee shall be charged by the Member States upon the issue to the fishermen concerned of the permit authorizing them to fish for salmon in the Swedish fishing zone.
3. The amount of the fee shall be determined each year before 1 November for the coming year, in accordance with the procedure laid down in the third subparagraph of Article 43(2) of the Treaty.
4. The fee, which may vary according to the catch capacity of vessels, shall be fixed at a level which ensures that the anticipated proceeds of the fees in a given year constitute 50-75 % of the Community's financial contribution laid down for that year under the Agreement between the Community and Sweden on the reproduction of salmon in the Baltic Sea.
5. The Member States shall within 60 days following the end of each quarter pay over to the Commission the amounts collected during that quarter.

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities. It shall apply to fishing carried on on or after 1 January 1980.

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

Done at Brussels,

For the Council

The President

FINANCIAL STATEMENT

DATE :

1. BUDGET LINE CONCERNED : 999 revenue

2. ACTION : Proposal for a Council Regulation on the fee to be charged by the Community for a permit authorizing a vessel flying the flag of a Community Member State to fish for salmon in the Swedish fishing zone.

3. LEGAL BASIS : Article 43 of the EEC Treaty

4. OBJECTIVES : Fee to be charged on behalf of the Community by the Member States upon the issue, to the Community fishermen concerned, of the permit authorizing them to fish for salmon in the Swedish fishing zone of the Baltic Sea.

5. FINANCIAL CONSEQUENCE	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0 EXPENDITURE		()	()
-CHARGED TO THE EC BUDGET (REVENUES/INTERVENTIONS)			
-CHARGED TO NATIONAL ADMINISTR.			
-CHARGED TO OTHER NATIONAL GROUPS			
5.1 RECEIPTS			(1)
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
-NATIONAL			

YEAR YEAR YEAR

5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE

5.1.1 PLURIANNUAL PATTERN OF RECEIPTS

5.2 METHOD OF CALCULATION The amount of the fee is to be calculated each year by the following method: (a) The average fee per permit is to be calculated by the following formula:

$$\frac{k \cdot s}{n}$$

where k = a coefficient to be fixed every year by the Council between 0.50 and 0.75
s = the sum to be paid by the Community to Sweden for the year in question in accordance with the agreement
n = the maximum number of permits that may be issued

(b) Should it emerge that the catch capacity of the vessels concerned varies considerably according to their tonnage, the fee will be calculated for each category of vessels on the basis of their catch capacity.

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ?	YES/NO
6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ?	YES/NO
6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ?	YES/NO
6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ?	YES/NO

COMMENTS : (1) The yield from the fees cannot be estimated precisely as it is subject to unforeseeable elements. It is estimated that the revenue for 1980 will be between 0.30 MUA and 0.50 MUA. This revenue should be allocated to Article 999 (miscellaneous receipts) of the budget.