



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.07.1996
COM(96) 404 final

Proposal for a

COUNCIL REGULATION (EC)

**amending Council Regulation (EC) No 3075/95 laying down, for 1996,
certain measures for the conservation and management of fishery resources
applicable to vessels flying the flag of Norway**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Under Council Regulation (EC) No 3075/95, Norway was granted a certain quota for North Sea herring in Community fishing waters for 1996. The quota was set on the basis of a TAC which was agreed upon between the Community and Norway on the basis of the then available scientific information.

According to the most recent scientific information from the Advisory Committee for Fisheries Management of the International Council for the Exploration of the Sea, the North Sea herring stock is declining so dramatically that a moratorium will be inevitable in the years to come, unless rapid action is taken in 1996 to reduce the fishing mortality and rebuild the spawning stock. Such action should consist of a 50% reduction in the North Sea TAC set for 1996 and a 50% reduction in the fishing mortality rate on North Sea herring taken in other fisheries.

In view of this situation, the Community and Norway held consultations, in the framework of the bilateral fisheries agreement, on 12 June 1996, in order to agree on the appropriate measures for this joint stock. These consultations resulted in an agreement to reduce, *inter alia*, the current North Sea TAC by 50% and to reduce the corresponding quotas for each Party accordingly. Consequently, the Norwegian catch quota for North Sea herring in Community fishing waters is to be reduced from 50,000 tonnes to 45,240 tonnes.

2. Under Council Regulation (EC) No 3075/95, Norway was also granted certain quotas for plaice and blue whiting in Community waters for 1996. The fishery arrangements agreed upon by the Community and Norway for 1996 provides for the possibility to consider a further transfer of plaice from Norway to the Community after 1 August 1996.

Following a request from an interested Member State, further consultations were held with Norway, which resulted in an agreement to transfer, by 1 August 1996, 1,250 tonnes of plaice from Norway to the Community in exchange for a transfer of an equivalent quantity of 10,000 tonnes of blue whiting from the Community to Norway. Consequently, the Norwegian quota for plaice in Community fishing waters is to be reduced from 2,460 tonnes to 1,210 tonnes and the Norwegian quota for blue whiting in Community fishing waters is to be increased from 249,000 tonnes to 259,000 tonnes.

3. The objective of this proposal is to implement the measures agreed with Norway and to amend the above mentioned Council Regulation accordingly.

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COUNCIL REGULATION (EC) No

**amending Council Regulation (EC) No 3075/95 laying down, for 1996,
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THE COUNCIL OF THE EUROPEAN UNION,

having regard to the Treaty establishing the European Community,

having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽¹⁾ and, in particular, Article 8(4) thereof,

having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3075/95⁽²⁾ allocates, for 1996, certain catch quotas to vessels flying the flag of Norway in Community waters;

Whereas a catch quota of 50,000 tonnes of herring was allocated to Norway in Community fishing waters in ICES Divisions IVa and IVb for 1996; whereas this quota has to be reduced in order to reflect the reduction in the underlying North Sea TAC for herring;

Whereas the most recent scientific information and, in particular, the report of the Advisory Committee for Fisheries Management of the International Council for the Exploration of the Sea, indicates that North Sea herring stock is outside safe biological limits and that, in order to protect this stock, it is necessary to take rapid management measures, including, *inter alia*, a 50% reduction in the relevant TAC;

Whereas, in accordance with the procedure provided for in Articles 2 and 7 of the Fisheries Agreement between the European Economic Community and the Kingdom of Norway⁽³⁾, the Parties have held consultations on the urgent measures which are required in the light of the new scientific information; whereas these consultations have been concluded successfully and, as a result, the aforementioned catch quota has been reduced;

Whereas the fishery arrangements agreed upon by the Community and Norway for 1996 provide for the possibility to consider a further transfer of plaice from Norway to the Community after 1 August 1996;

⁽¹⁾ OJ No L 389, 31.12.1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 330, 30.12.1995, p. 43.

⁽³⁾ OJ No L 226, 29.8.1980, p. 48.

Whereas further consultations were held with Norway, which led to an agreement to transfer, by 1 August 1996, 1,250 tonnes of plaice from Norway to the Community in exchange for a transfer of 10,000 tonnes of blue whiting from the Community to Norway; whereas, as a result of this agreement, these quotas have to be modified accordingly;

Whereas it is now necessary to implement these agreed measures;

Whereas it is for the Council to lay down the specific conditions under which such catches must be taken,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Council Regulation (EC) No 3075/95, the figures relating to plaice, blue whiting and herring shall be replaced by those set out in the Annex to this Regulation.

Article 2

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

However, the amendments relating to plaice and blue whiting shall apply from 1 August 1996.

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

Done at Brussels,

For the Council
The President

ANNEX

Norwegian catch quotas for 1996

Species	Area within which fishing is authorised	Quantity
"Plaice	ICES IV	1,210"
"Blue whiting	ICES II, IVa, VIa ⁽²⁾ , VIb, VII ⁽⁴⁾	259,000 ⁽⁹⁾⁽¹⁰⁾ "
"Herring	ICES IVa, b	45,240 ⁽¹⁵⁾ "

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