



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.04.1998

COM(1998) 256 final

Proposal for a

COUNCIL REGULATION (EC)

**amending, for the second time, Regulation (EC) No.45/98
fixing, for certain fish stocks and groups of fish stocks, the total allowable catches
for 1998 and certain conditions under which they may be fished**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The management of the stock of western mackerel by means of a Total Allowable Catch (TAC) is agreed in the framework of the fisheries agreements between the Community and Norway and between the Community and the Faroe Islands.

It has become evident that the Community share of the TAC for mackerel in Zone IIa (except Community waters), Vb (Community waters), VI, VII, VIII a, b, d, e, XII, XIV and its allocation to Member States, as set out in Annex I of Council Regulation (EC) N° 45/98¹, are incorrect, due to an erroneous interpretation of the Agreed Records of Conclusions of Fisheries Consultations between the European Community and Norway for 1998 (Brussels, 2 December 1997).

As a consequence, and in order not to undermine the above-mentioned agreements, these figures should be corrected as soon as possible. This proposal intends to address this matter by modifying Council Regulation (EC) N° 45/98 .

¹ O.J. No L12, 19.1.1998, p. 1. Regulation as amended by Regulation (EC) No .../98 (OJ No L...,1998, p...)

**Proposal for a
Council Regulation (EC) No 45/98 of 1998
amending, for the second time, Regulation (EC) No.45/98
fixing, for certain fish stocks and groups of fish stocks, the total allowable catches
for 1998 and certain conditions under which they may be fished**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No. 3760/92¹ of 20 December 1992 establishing a Community system for fisheries and aquaculture as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No. 45/98² fixes, for certain fish stocks and groups of fish stocks, the TACs for 1998 and certain conditions under which they may be fished;

Whereas it turns out that the Community share of mackerel in the Zone IIa (except Community waters), Vb (Community waters), VI, VII, VIII a, b, d, e, XII, XIV and its allocation to Member States, as set out in Annex I of the above-mentioned Regulation, are incorrect; whereas it is appropriate to correct these figures in order not to undermine the agreements with third countries which share the responsibility of the joint management of this stock.

Whereas Council Regulation (EC) No. 45/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION :

¹ O.J. No L389, 31.12.1992, p.1

² O.J. No L12, 19.1.1998, p.1. Regulation as amended by Regulation (EC) No .../98 (OJ No L...,1998, p...)

Article 1

The annex to this Regulation shall replace the corresponding elements of Annex 1 to Regulation (EC) No 45/98.

Article 2

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

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

Done at Brussels,

For the Council,

The President

ANNEX

Species:	Mackerel <i>Scomber scombrus</i>	Zone:	Ila (1), Vb(2), VI, VII, VIIIabde, XII, XIV
België / Belgique		(1)	Except Community waters
Danmark		(2)	Community waters
Deutschland	18 820 (3)(4)	(3)	May not be fished in the waters under the sovereignty or jurisdiction of Spain
Ellada		(4)	Of which 4160 tonnes may be fished from 1 October to 31 December 1998 in EC waters of ICES Division Iva.
España	20 (5)	(5)	May be fished only in the waters under the sovereignty or jurisdiction of Spain
France	12 550 (3)(6)	(6)	Of which 2770 tonnes may be fished from 1 October to 31 December 1998 in EC waters of ICES Division IV a.
Ireland	62 740 (3)(7)	(7)	Of which 13870 tonnes may be fished from 1 October to 31 December 1998 in EC waters of ICES Division IV a.
Italia		(8)	Of which 6060 tonnes may be fished from 1 October to 31 December 1998 in EC waters of ICES Division IV a.
Luxembourg		(9)	Of which 38140 tonnes may be fished from 1 October to 31 December 1998 in EC waters of ICES Division IV a.
Nederland	27 450 (3)(8)		
Osterreich			
Portugal			
Suomi/Finland			
Sverige			
United Kingdom	172 530 (3)(9)		
EC	294 110		
TAC	422 160		

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