



COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(97) 258 final

96/0160 (CNS)

Amended proposal for a
COUNCIL REGULATION (EC)
laying down certain technical
measures for the conservation of fishery resources

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

During its Plenary Session of April 10, 1997, European Parliament adopted the report from the Committee on Fisheries on the proposal for a Council Regulation laying down certain technical measures for the conservation of fishery resources (COM(96) 296 - C4-0388/96-96/0160(CNS)). The report contains 30 amendments that were approved by Parliament. The Commission accepted 13 of these amendments. Pursuant to Article 189A(2) of the EC Treaty the Commission herewith presents an amended proposal to the Council.

Amended proposal for a
COUNCIL REGULATION (EC)
laying down certain technical
measures for the conservation of fishery resources

Original text

Amended text

Recital 6a (new)

Whereas European Parliament on 25 October 1996 adopted its resolution on the Communication from the Commission on the implementation of technical measures in the Common Fisheries Policy;

Article 8 (2) (d) (new)

it shall be constructed of knotless netting material or netting material with non-slip knots, and inserted in such a way that the meshes remain fully open at all times whilst fishing.

Article 9 (2) first subparagraph

Vessels may carry on board or use towed nets of two different minimum mesh sizes, provided that one of these minimum mesh sizes falls within the range of 0 through 60 millimeters, and the other of these minimum mesh sizes falls within the range of 70 through 109 millimeters.

Vessels may carry on board or use towed nets of two different minimum mesh sizes, provided that none of these nets have a minimum mesh size equal to or greater than 110 millimetres.

Article 9 (2) second subparagraph

In this case, and derogating from the provisions of Article 5, the minimum percentage of target species that must be retained on board shall be 85%. This percentage shall apply to the target species as defined for the net or nets with the larger of the two mesh sizes that are being kept on board.

In this case, and derogating from the provisions of Article 5, the minimum percentage of target species that must be retained on board shall be 90%. This percentage shall apply to the target species as defined for the net or nets with the larger of the two mesh sizes that are being kept on board.

Article 11 (1)

It is prohibited to carry on board or to use any towed net constructed wholly or in part of any type of mesh other than square mesh or diamond mesh.

It is prohibited to carry on board or to use any towed net the cod-end of which is constructed wholly or in part of any type of mesh other than square mesh or diamond mesh.

Article 16

Sorting shall be carried out immediately after hauling.

Sorting shall be carried out immediately after catches have been removed from the net(s).

Article 21 (2) (a)

herring, horse mackerel and mackerel, within a limit of 10% by weight of the total catches retained on board of these species,

anchovy, herring, horse mackerel, mackerel and sardine, within a limit of 10% by weight of the total catches retained on board of these species,

Article 21 (3)

However, undersized anchovy, horse mackerel or mackerel caught for use as live bait may be retained on board, provided they are retained alive.

However, undersized anchovy, horse mackerel, mackerel or sardine caught for use as live bait may be retained on board, provided they are retained alive.

Article 27 (2)

It is prohibited to retain on board tuna which are caught using drift nets in waters under the sovereignty or jurisdiction of Spain or Portugal in ICES sub-areas VIII, IX or X, or, in CECAF areas around the Canary Islands.

It is prohibited to retain on board tuna which are caught using drift nets in waters under the sovereignty or jurisdiction of Spain or Portugal in ICES sub-areas VIII, IX or X, or, in CECAF areas around the Canary Islands and the Madeira Archipelago.

Article 31 (1) (a)

To be deleted.

Article 31 (1) (b)

To be deleted.

Article 31 (3)

Within the zones, and outside of the periods referred to in paragraph 1, it is prohibited to carry on board or to use any towed net with a minimum mesh size of less than 80 millimeters.

Within the zones, and outside of the periods referred to in paragraph 1, it is prohibited to carry on board or to use any towed net with a minimum mesh size of less than 70 millimeters.

Article 34

To be deleted.

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