



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.04.1996
COM(96) 179 final

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EC) No. 3090/95 laying down for 1996 certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 22 December 1995, the Council established certain conservation and management measures which are applicable in the NAFO Regulatory Area in 1996 ⁽¹⁾. Those measures also comprise the distribution of the share of Greenland halibut in NAFO area 3LMNO which is available to the Community between the Member States.

The objective of the present proposal is to change, for Member States and masters of Community vessels, the existing 48-hour reporting system for the Greenland halibut fishery into a weekly reporting system.

Now that the allocation of the Community quota of Greenland halibut among the Member States has been established, it appears to be appropriate to bring the existing 48-hour rule, which had its merits in the case of an unallocated quota, in line with the currently applicable NAFO rule which requires Contracting Parties to report their Greenland halibut catches on a weekly basis, i.e. *"every Tuesday for the week ending at 24:00 hours on the previous Sunday"*. However, provisions have to be made for the weekly reports to be received by the Commission sufficiently in advance, i.e. every Tuesday by noon at the latest, so that they can be transmitted to the Executive Secretary of NAFO in due time.

Furthermore, this proposal offers the possibility to correct drafting errors which occurred in Council Regulation (EC) No. 3090/95 in relation to the by-catch rules that are applicable in connection with the ban of directed fishing for cod, witch flounder and capelin respectively in NAFO area 3NO.

This proposal intends to address these matters by amending Council Regulation (EC) No. 3090/95.

⁽¹⁾ Council Regulation (EC) No. 3090/95 of 30.12.1995, O.J. No. L 330, p. 108

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Proposal for a

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amending Regulation (EC) No. 3090/95 laying down for 1996 certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries

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 Regulation (EC) No. 3090/95 ⁽²⁾ lays down, *inter alia*, fishing quotas for Member States in the Regulatory Area for 1996;

Whereas following the distribution of the share of Greenland halibut which is available to the Community between Member States, it now appears appropriate to change the existing 48-hour reporting system into a weekly reporting system, in accordance with the conservation and enforcement measures that are applicable in the Regulatory Area;

Whereas reference has to be made to the by-catch rules that are applicable in connection with the ban of directed fishing for cod, witch flounder and capelin respectively in NAFO area 3NO;

Whereas Regulation (EC) No. 3090/95 should therefore be amended;

⁽¹⁾ O.J. No. L 389, 31.12.1992, p. 1.

⁽²⁾ O.J. No. L 330 of 30.12.1995, p. 108

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No. 3090/95 is hereby amended as follows:

1. Article 5, last paragraph, shall be replaced as follows:

"Member States shall report to the Commission every Tuesday before 12:00 hours for the week ending at 24:00 hours on the previous Sunday the quantities of Greenland halibut caught by their vessels".

2. Article 7 (4) shall be replaced as follows:

"4. Masters of Community vessels fishing for Greenland halibut shall notify the competent authorities of the Member State whose flag their vessel is flying or in which their vessel is registered, 48 hours in advance of engaging in that fishery, including if possible an estimate of the projected catch, and shall report every Monday for the week ending at 24:00 hours on the previous Sunday the quantities of Greenland halibut caught".

3. Annex I shall be replaced by 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.

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

Done at Brussels, 1996

For the Council
The President

ANNEX I

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 2J3KL	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Cod	North West Atlantic	NAFO 3NO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 6 (3) hereof.

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	513
			Greece	
			Spain	1,574
			France	221
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	2,155
			United Kingdom	1,022
		Available for Member States		
		EC total	5,485	
Atlantic redfish	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
		Available for Member States		
		EC total	4,030	

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Atlantic redfish	North West Atlantic	NAFO 3LN	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	374
			EC total	374
American plaice	North West Atlantic	NAFO 3M ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 6 (3) hereof.

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
American plaice	North West Atlantic	NAFO 3LNO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Yellowtail flounder	North West Atlantic	NAFO 3LNO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 6 (3) hereof.

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Witch flounder	North West Atlantic	NAFO 3NO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Capelin	North West Atlantic	NAFO 3NO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 6 (3) hereof.

Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Squid	North West Atlantic	NAFO- subzones 3+4	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	p.m.
Greenland halibut	North West Atlantic	NAFO 3LMNO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	332 7 616 3 122
			EC total	11 070

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Stock			Member State	1996 quota (tonnes)
Species	Geographical region	Zone		
Shrimp	North West Atlantic	NAFO 3LNO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 6 (3) hereof.

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