COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 674 final Brussels, 28 November 1979

Proposal for a COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

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Proposal for a COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden

> Proposal for a COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands

(submitted to the Council by the Commission)

COM(79) 674 final

## EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and Norway about their reciprocal fishing rights in 1980 have not been concluded in time to make it possible to adopt before 31 December 1979 final arrangements for 1980 based on the conclusions of the said consultations.

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In order to avoid an interruption of the reciprocal fishing from 1 January 1979 it is necessary for the Community to adopt interim arrangements for fishing by Norwegian vessels valid from 1 January until the entry into force of definitive arrangements for 1980. The Commission considers that the definitive arrangements can enter into force on 1 April 1980. For this reason the Commission proposes that the Council adopt a Regulation establishing an interim regime for uting Norwegian vessels to fish in the Community fishing zone during the abovementioned period.

In order to ensure that the interim arrangements are not more restrictive than the description of the fact that catches the during the period covered by the interim arrangements will in any event be counted against the quotas to be set for the entire year 1980, the Commission proposes that the quotas fixed under the interim arrangements be set at a level which is relatively high in relation to the length of the period covered by these arrangements. The Commission considers it appropriate as a general rule to set these quotas at 50% of the quotas agreed with Norway for 1979, except for the mackerel stocks in ICES division IV and subdivision THE and Northern deepwater prawn in NAFO subarea 1 for which a token entry is proposed. As far as Northern deepwater prawn is concerned, the Commission intends to complete the proposal later in the light of the recommendation which will be made by the Scientific Council of NAFO.

In conformity with Article 2 of the framework agreement on fisheries between the Community and Norway signed on 26 July 1978, the Commission has consulted the Norwegian authorities concerning the interim arrangements provided for in the present proposal. The Norwegian authorities have said that they are satisfied that these arrangements constitute an adequate provisional arrangement except as far as the quotas for the following stocks are concerned: mackerel in the ICES divisions IV and VI, sprat and Northern deepwater prawns.

As to fishing by Community vessels in the Norwegian fisheries zone, interimarrangements should not be necessary provided that the consultations are concluded before mid-December. Under these conditions, the Norwegian authorities should be able to establish, before 1 January, definitive arrangements in conformity with the outcome of the consultations.

In the event that the consultations were not concluded before mid-December, the Commission would consult the Swedish authorities on the subject of interim arrangements to permit fishing by Community vessels in Norwegian NAMED.

For the reasons given above, the Commission proposes that the Council adopt the Regulation, a draft of which is attached, as soon as possible, and, in any event, before 10 December 1979.

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## Proposal for a

## COUNCIL REGULATION (EEC)

# laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

# THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas on 3 November 1976 the Council adopted a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Community and the Kingdom of Norway have negotiated a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Where is fishing from Norwegian vessels in the Community's fishing zone is authorized until 31 December 1979 by virtue of Council Regulation (IEC) No 587/79 of 26 arch 1979 Laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (<sup>1</sup>); as amended by Regulation (EEC) N<sup>o</sup> 2227/79 (2)

Whereas the consultations held between the Community and Norway on the one hand, and between the Community, Norway and Sweden, on the other hand, on the subject of mutual fishery rights for 1980 and of the management of certain joint stocks occurring in Skagerrak and in Kattegat have not been concluded in time for the adoption, before 31 December 1979, of definitive rules for fishing by Norwegian vessels in the Community fisheries zone in accordance with the conclusions of these consultations ;

> (1) 0\_JN<sup>o</sup> L 81 31.3.79, p. 9 (2) 0\_J. N<sup>o</sup> L 257 12.10.79, p. 3

Whereas the Agreement of 19 December 1966 between Denmark, Norway and Sweden on mutual access to fishing in Skagerrak and Kattegat provides that each party shall grant access to fishing by vessels of the other parties within its fishing zone in Skagerrak and part of Kattegat seawards of four nautical miles from the base-lines;

Whereas the Fishery Agreement of 1964 between the United Kingdom and Norway provides that Norwegian vessels are authorized to fish for dogfish and basking shark in certain areas between six and 12 nautical miles from the base-lines of the United Kingdom;

whereas in order to avoid the interruption of reciprocal fishing by vessels of the two parties in the fisheries zone of the other it is necessary that the Community adopt before 1 January 1980 interim rules authorizing fishing by Norwegian vessels in the Community fisheries zone with effect from 1 January 1980 until the entry into force of a definitive regime for 1980;

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Whereas in order to comply with this date, it is necessary to adopt these interim measures, on the basis of Article 103 of the Treaty,

# HAS ADOPTED THIS REGULATION:

#### Article 1

1. Fishing by vessels flying the flag of Norway the 200 mile zone of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, Davis Strait, Baffin Bay and the Atlantic Ocean north of 43° N. shall be authorized during the period 1 January to 31 March 1980 for the species mentioned in Annex I within the geographical and quantitative limits' laid down therein and in accordance with the conditions laid down in this Regulation.

2. Fishing authorized under paragraph 1 shall be limited to the parts of the 200 mile fishing zone lying seawards of 12 nautical miles from the base-lines from which the territorial seas of Member States are measured with the following exceptions:

- (a) fishing in the Skagerrak is allowed seawards of four nautical miles from the base-lines of Denmark;
- (b) fishing for dogfish and basking shark is allowed in the areas defined in Annex II.

3. Notwithstanding paragraph 1, unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

4. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

#### Article 2

1. Vessels fishing under the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in the zones referred to in that Article,

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information set out in Annex III is to be entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division IIIa shall transmit to the Commission the information set out in Annex IV. This information is to be transmitted according to the rules set out in this Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides.

1. Fishing within ICES sub-area XIV and NAFO zone 1 under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalt of the Community and to the observance of the conditions set out in the licence.

2. The delivery of licences for the purpose of paragraph 1 shall be subject to the condition that the number of licences shall not exceed:

13 for fishing Greenland halibut and redfish;

3. Each licence shall be valid for one vessel only. When two or more vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

4. Licences may be cancelled with a view to the issue of new licences. The cancellation shall take effect from the date of the surrender of the licence to the Commission.

# Article 4

When an application for a licence is submitted to the Commission, the following information shall be supplied:

(a) name of the vessel;

(b) registration number;

(c) external identification letters and numbers;

(d) port of registration;

(c) name and address of the owner or charterer;

(f) gross tonnage and overall length;

(g) engine power;

(h) call sign and radio frequency;

(i) intended method of fishing;

(i) intended area of fishing;

(k) species for which it is intended to fish;

(1) period for which a licence is requested.

#### Article 5

Fishing for the quotas referred to in Article 1 for blue ling, hug, tusk, Greenland halibut and redfish is only allowed by use of the method commonly known as 'long-lining'.

The use of trends and of purse seines for catching pelagic species shall be prohibited in Skagerrak from Saturday midnight to Sunday midnight.

# Article 7

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

# Article 8

Where an infringement is duly found to have taken place, the Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

## Article 9

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

It shall apply until 31 March 1980.

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

Done at Brussels,

For the Council

The President

# ANNEX 1

# Fishing quotas

SPECIES	Area within which fishing is authorized	Quantity (tonnes)
Mackerel	ICES IV and Skagerrak ICES VIa (1) +	p.m.
	VII d), e), f), h)	17.000
Horse-mackerel	ICES IV, VI a) (1) + VII d), e), f), h)	2.500
Sprat	ICES IV Skagerrak (2)	35.000 6.000 (3)
Cod	ICES IV Skagerrak (2)	3.000 250 (3)
Haddock	ICES IV Skagerrak (2)	1.500 200 (3)
Saithe	ICES IV and Skagerrak (2)	6.000
Whiting	ICES IV Skagerrak (2)	1.700 200 (3)
Plaice •	ICES IV Skagerrak (2)	500 100 (3)
Sandeel, Norway pout/ blue whiting	ICES IV	25.000 (4)
Blue whiting	ICES II, VIa) (2), VI b), VII (5), XIV	62.000
Ling, blue ling and tusk	ICES IV, VI, VII	10.000
Dogfish	ICES IV, VI, VII	6.200 (6)
Basking shark (7)	ICES IV, VI, VII	400 (6)
Porbeagle	ICES IV, VI, VII	500
Northern deep <b>-water</b> prawn (Pandalus bore <b>alis)</b>	NAFO 1 (8) ICES XIV	p.m. experimental fishery only
Greenland halibut and redfish	NAFO 1, ICES XIV	900
Halibut	NAFO 1, ICES XIV	100
Other species	ICES IV	2.500

(1) North of 56°30' N.

(2) Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden
(3) To be reduced by the quantities taken outside the EEC fishing zone
(4) Of which sandeel alone no more than 25.000 tonnes or Norway pout and blue whiting together no more than 20.000 tonnes
(5) West of 12° W.
(6) This guota does not include catches taken in the appase defined in Appar II.

6) This quota does not include catches taken in the areas defined in Annex II The Basking shark liver South of 58° N.

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Zone between six and 12 nautical miles from the base-lines of the territorial sea of the United Kingdom

ANNEX

- (a) Fishing for dogfish: the areas extending from a line due west of Ard an Runair (North Uist) northwards to a line due east of Start Point (Orkney) including the areas around the Hannan Islands, the Shetland Islands and Fair Isle and the off-lying islands of the St Kilda Group, North Rona and Sulisker, Sule Skerry and Stack Skerry,
- (b) Fishing for basking sharks: the same areas as for dogfish and also the area between a line due west of the Mull of Oa (Islay) and a line due west of Ard an Runair.

#### ANNEX III

1. The following details are to be entered in the logbook after each haul when fishing within the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by exclusive Community rules on fisheries:

1.1. the quantity (in kg) of each species caught;

1.2. the date and the time of the haul;

1.3. the geographical position in which the catches were made;

1.4. the fishing method used.

2. The following logbook has to be used when fishing within the joint management zone of the Community and Canada in the statistical zone NAFO 0 + 1.

EUROPEAN COMMUNITIES' LOGBOOK FOR NAFO ZONES 0 + 1

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- 1. The information to be transmitted to the Commission and the timerable for its transmission are as follows:
- 1.1. On each occasion the vessel enters:
  - the 200 nautical mile fishing zone off the coasts of the Member States of the Community, which is covered by Community rules on fisheries;
  - the joint management zone of the Community and Canada in the statistical zone ICNAF 0 + 1:
  - '(a) the information specified under point 1.4 below;
  - (b) the quantity (in kg) of each species of fish in the hold;
  - (c) when and where fishing is to commence.
- 1.2. On each occasion the vessel leaves:
  - the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries;
  - the joint management zone of the Community and Canada in the statistical zone ICNAF 0 + 1 after a previous notice of leaving of at least 48 hours:
    - (a) the information specified under point 1.4 below;
    - (b) the quantity (in kg) of each species of fish in the hold;
    - (c) the quantity (in kg) of each species caught since the previous transmission;
    - (d) the ICES division or ICNAF zone in which the catches were taken;
    - (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the Community fishing zone or the joint management zone ICNAF 0 + 1 and the identification of the vessel to which the transfer was made;
    - (f) the quantity (in kg) of each species landed in a port of the Community since the vessel entered the Community fishing zone;
    - (g) the quantity (in kg) of discards specified by species since the previous transmission when fishing in the joint management zone ICNAF 0 + 1.
- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the fishing zone of the Member States:
  - (a) the information specified under point 1.4 below;
  - (b) the quantity (in kg) of each species caught since the previous transmission;
  - (c) the ICES division or ICNAF zone in which the catches were made.

1.4. (a) the name, call sign, identification numbers and letters of the vessel and the name of its master;

- (b) the licence number if the vessel is under licence;
- . (c) the serial number of the message;
- (d) identification of the type of message;
- (c) the date, the time and the geographical position of the vessel.
- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24189 HSEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

2.2. If it is impossible for reasons of force majeure for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

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Humber	
Cullercoats	-
Wick	•
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Portpatrick	
Anglesey	· ·
lltracombe	,
Niton	
Stonchaven Portshead	•
ronsneau	•
	,* <b>.</b>
Land's End	<i>,</i>
Valentia Malin Head	
Boulogne	• ,
Brest	、
Saint Nazaire	
Bordeaux-Arcachon	-
Prins Christians Sund	·
Julianchab	
Godhab	,
Holsteinsbo <b>rg</b> Godhavn	•
Thorshavn	l.
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Bergen	-
Farsand	
Horø	
Rogaland	• •
Tjøme - Ålsund	

Call sign of radio station ONP -ONS OYE DAF DAK DAH DAL DAI DAM DAEDAN PCH OST GNF CKZ. GCC GKR GNE GPK GLV GIL GNI GND GKA GKB GKC GLD EIK F}M FIB FFU FFO HC **OZN** OXE OXI Central Godthab OYS OZM: OXJ 22239 ÌIGN

#### 4. Form of communications

The information specified under point 1 shall contain the following elements, which shall be given in the following order:

- name of vessel;
- call sign;
- external identification letters and numbers;
- serial number of the message for the voyage in question;
- indication of the type of message according to the following code:
- message when entering the Community zone or the joint management zone ICNAF 0 + 1: 'IN',
- message when leaving the Community zone or the joint management zone ICNAF 0 + 1; 'OUT',

- weekly message: 'WKL';

- the geographical position;

- the ICES division or ICNAF zone in which fishing is expected to commence;

- the date on which fishing is expected to commence;

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- the quantities (in kg) of each species of them in the find usingstee liste metabolics in point 3 below;
- the quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point S below when fishing in the joint manufactment zone ICNAF 0 + 1;
- the ICES division or JCNAF zone in which the catches were made;
- the quantity (in kg) of each species transferred to other vessels since the previous transmission;
- the name and call sign of the vessel to which the transfer was made;
- the quantity (in kg) of each species landed in a port of the Community since the previous transmission;
- the name of the master.
- 5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:
  - A Deep-water prawn (Pandalus borealis)
  - B Hake (Merluccius merluccius)
  - C Greenland halibut (Reinhardtius hippoglossoides)
  - D Cod (Gadus morrhua)
  - E Haddock (Melanogrammus aeglefinus)
  - F Halibut (Hippoglossus hippoglossus)
  - G Mackerel (Scomber scombrus)
  - H Horse-mackerel (Trachurus trachurus)
  - I Round-nose grenadier (Coryphaenoides rupestris)
  - J Santhe (Pollachius virens)
  - K Whiting (Merlangus merlangus)
  - L Herring (Clupea harengus)
  - M Sandeel (Ammodytes sp)
  - N Sprat (Clupea sprattus)
  - O Plaice (Pleuronectes platessa)
  - P Norway pout (Trisopterus esmarkii)
  - Q Ling (Molva molva)
  - R Other
  - S Shrimp (Penaeidae)
  - T Anchovy (Engraulis encrassicholus)

## EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and Sweden about their reciprocal fishing rights in 1980 have not been concluded in time to make it possible to adopt before 31 December 1979 final arrangements for 1980 based on the conclusions of the said consultations.

In order to avoid an interruption of the reciprocal fishing from 1 January 1979 it is necessary for the Community to adopt interim arrangements for fishing by Swedish vessels valid from 1 January until the entry into force of definitive arrangements for 1980. The Commission considers that the definitive arrangements can enter into force on 1 April 1980. For this reason the Commission proposes that the Council adopt a Regulation establishing an interim regime permitting Swedish vessels to fish in the Community fishing zone during the abovementioned period.

In order to ensure that the interim arrangements are not more restrictive than the definitive arrangements to be agreed with Sweden, and in view of the fact that catches taken during the period covered by the interim arrangements will in any event be counted against the quotas to be set for the entire year 1980, the Commission proposes that the quotas fixed under the interim arrangements be set at a level which is relatively high in relation to the length of the period covered by these arrangements. The Commission considers it appropriate as a general rule to set these quotas at 50% of the quotas agreed with Sweden for 1979, except in the North Sea where it is proposed to set them at 50% of the quantities requested by Sweden for 1980, with the exception of mackerel where a token entry quota is proposed in view of the scientific recommendation.

In conformity with Article 2 of the framework agreement on fisheries between the Community and Sweden signed on 23 March 1977, the Commission has consulted the Swedish authorities concerning the interim arrangements provided for in the present proposal. The Swedish authorities have said that they are satisfied that these arrangements constitute an adequate provisional arrangement except as far as the absence of a mackerel quota is concerned. The Commission considers that this problem should be examined during the next consultations.

As to fishing by Community vessels in the Swedish fisheries zone, interim arrangements should not be necessary provided that the consultations are concluded before mid-December. Under these conditions, the Swedish authorities should be able to establish, before 1 January, definitive arrangements in conformity with the outcome of the constructions. In the event that the consultations were not concluded before mid-December, the Commission would consult the Swedish authorities on the subject of interim arrangements to permit fishing by Community vessels in Swedish waters.

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For the reasons given above, the Commission proposes that the Council adopt the Regulation, a draft of which is attached as soon as possible, and, in any event, before 10 December 1979.

# Proposal for a

## COUNCIL REGULATION (EEC)

## laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden

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## THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas on'3 November 1976 the Council adopted a set of 'resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Community and the Kingdom of Sweden have signed a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas fishing from Swedish vessels in the Community's fishing zone is authorized until 31 December 1979 by virtue of Council Regulation (EEC) No 588/79 of 26 March 1979 Laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden (1):

Whereas the consultations held between the Community and Sweden on the one hand, and between the Community, Sweden and Norway, on the other hand, on the subject of mutual fishery rights for 1980 and of the management of certain joint stocks occurring in Skagerrak and in Kattegat have not been concluded in time for the adoption, before 31 December 1979, of definitive rules for fishing by Swedish vessels in the Community fisheries zone in accordance with the conclusions of these consultations ;

(1) <sup>0</sup> J. N<sup>o</sup> L 81 31.3.79, p. 18

Whereas the Agreement of 19 December 1966 between Denmark, Norway and Sweden on mutual access to fishing in Skagerrak and Kattegat provides that each party shall grant access to fishing by vessels of the other parties within its fishing zone in Skagerrak and part of Kattegat seawards of four nautical miles from the base-lines;

Whereas the Convention of 31 December 1932 between Denmark and Sweden concerning fishing conditions in the maritime waters bordering both parties provides that each party shall grant access to fishing by vessels of the other party within its fishing zone in the Kattegat seawards of three nautical miles from the coast and in certain parts of Øresund and the Baltic Sea up to the base-lines;

Whereas in order to avoid the interruption of reciprocal fishing by vessels of the two parties in the fisheries zone of the other, it is necessary that the Community adopt before 1 January 1980 interim rules authorizing fishing by Swedish vessels in the Community fisheries zone with effect from 1 January 1980 until the entry into force of a definitive regime for 1980;

Whereas in order to comply with this date, it is necessary to adopt these interim measures, on the basis of Article 103 of the Treaty,

#### HAS ADOPTED THIS REGULATION:

# Article 1

in the

1. Fishing by vessels flying the flag of Sweden 200 mile zone of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, Davis Strait, Baffin Bay and the Atlantic Ocean north of 43° N shall be authorized during the period 1 January to 31 March 1980 for the species referred to in Annex I within the geographical and quantitative limits laid down therein and in accordance with the provisions laid down in this Regulation.

2. Without prejudice to the provisions of paragraph 1, fishing by vessels flying the flag of Sweden for species other than those for which quotas are established in Annex I is authorized in Kattegat, Skagerrak and Øresund, east of a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and north of a line drawn from the lighthouse of Stevns to the lighthouse of Falsterbo.

#### 3. For the purposes of this Regulation:

- the Skagerrak is the area-limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from the Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden,
- the Kattegat is the area limited in the north by à line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden and in the south by a line drawn from Hasenore Head to Gniben Point, from Korshage to Spodsbjerg, and from Gilbjerg Head to the Kullen,
- Oresund is the area limited in the north by a line. drawn from Gilbjerg Point to the Kullen and in the south by a line drawn from the lighthouse of Stevns to the lighthouse of Falsterbo.

4. Fishing authorized under paragraphs 1 and 2 shall be limited to the parts of the 200 mile fishing zone lying seawards of 12 nautical miles from the base-lines from which the territorial waters of Member States are measured, with the following exceptions:

- (a) fishing in Skagerrak is authorized seawards of four nautical miles from the base-lines of Denmark;
- (b) fishing in Kattegat is authorized seawards of three nautical miles from the coast of Denmark;
- (c) fishing in the Baltic Sea is authorized seawards of three nautical miles from the base-lines of Denmark;

(d) tishing in Oresund is authorized within the areas and in accordance with the conditions set out in . Annex II.

5. Notwithstanding paragraph 1, unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

6. By-catches in a given zone of a species for which a " quota is established in that zone shall be counted against the quota concerned.

#### Article 2

1. Vessels fishing under the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in . the zones referred to in that Article.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information specified in Annex III is to be entered.

3. 'Vessels referred to in paragraph 1 except those fishing in Skagerrak, Kattegat and Øresund shall transmit to the Commission, according to the rules set out in Annex IV, the information specified in that Annex.

. 4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides.

# Article 3

1. Fishing within ICES sub-areas IV and VI, and ICES division IIIb, c, d under the quotas established in Article 1 shall be permitted only where a licence issued by the Commission on behalf of the Community at the request of the Swedish authorities is held on board and where the conditions set out in the licence are observed.

2. Licences shall be issued for the purposes of paragraph 1 subject to the condition that the number of licences valid on any one day shall not exceed:

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75 for fishing cod and herring in the Baltic Sea,

6 for fishing salmon in the Baltic Sea,

21 for fishing in ICES sub-areas IV and VI all species referred to in Annex-I other than ling,

3 for fishing ling in ICES sub-areas IV and VI.

3. When an application for a licence is submitted to the Commission, the following information shall be supplied:

(a) name of the vessel;

(b) registration number;

(c) external identification letters and numbers;

(d) port of registration;

(c) name and address of the owner or charterer;

(f) gross tonnage and overall length;

(g) engine power;

(h) call sign and radio frequency;

(i) intended method of fishing;

(j) intended area of fishing;

(k) species for which it is intended to fish;

(1) period for which a licence is requested.

4. Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

5. Licences may be cancelled with a view to issuing new licences. Cancellation shall take effect from the date of the surrender of the licence to the Commission. New licences shall take effect from the first of the month following that in which they are issued.

1. The use of trends and purse seines for catching pelagic species shall be prohibited in Skagerrak and in Kattegat from Friday midnight to Sunday midnight.

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2. Directed fishing for herring in Kattegat for purposes other than human consumption is prohibited.

# Article 5

Only long-liners shall be authorized to fish for ling.

## Article 6

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

#### Article 7

Where an infringement is duly found to have taken place, the Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

## Article 8

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

It shall apply until 31 March 1980.

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

Done at Brussels,

For the Council

The President

2. 2.

Fishing quotas

SPECIES	Area within which fishing is authorized	Quantity (tonnes)
Cod	ICES III b), c), d) Skagerrak Kattegat ICES IV	750 500 (1) 2.300 (1) 75
Hadgock	Skagerrak ICES IV	1.250 (1) 100
Whiting	Skagerrak Kattegat ICES IV	200 (1) 500 (1) 25
Plaice	Skagerrak Kattegat	200 (1) 500 (1)
Flatfish	ICES IV	10
Sprat	ICES IV Skagerrak	1.300 4.000 (1)
Blue whiting	ICES IV, VI (2)	1.500
Mackerel Herring	ICES IV and Skagerrak Kattegat ICES III b), c), d) ICES IV	p.m. 8.500 (1) • 1.500 p.m.
Ling	ICES IV, VI (2)	150
Salmon	ICES III b), c), d)	12

(1) To be reduced by the quantities taken outside the EEC fishing zone (2) North of  $56^{o}30^{\prime}$  N

# ANNEX II

<u>\_ ۲</u>-

1. Invide a depth of 7 m only the following are allowed:

(a) follong by net for hermig; and

(b) fishing by lines in the months of July to October inclusive.

- 2. Ourside a depth of 7 m foliong by trand or seine is prohibited south of a line from Ellchilde Mage on Lerberget.
- 3. Norunbstanding paragraph 2 fishing is allowed on the Middelgrunden by "agricod" which dues not measure more than 7-5 in between "armspaherne".
- North of the line referred to in paragraph 2 folying by transl or Danish scine is allowed up to three rational index from the coast.

## ANNEX III

The following details are to be entered in the logbook after each hault

L. the quantity (in kg) of each species caught;

2. the date and the time of the haul;

3. the geographical position in which the catches were made;

4. the failing method used.

	ANNEX IV
	· · ·
1.	The information to be transmitted to the Commission and the filmetable for its transmission is as follows:
1.1.	On each occasion the vessel enters the 200 nutrical rule fishing zone off the coasts of the Member States of the Community which is covered by Community rules on tobier.est
	(a) the information specified under point 1.4;
	(b) the quantity (in kg) of each species of fish in the hold;
	(c) when and where fishing is to commence.
	If the fishing operation requires more than one entry into the Conon pars (f.d. crics 2000) of any given day, a single communication on first entering the zone will be sufficient.
1.2.	On each occasion the vessel leaves the 200 national mile tishing rote off the coasts of the Monger States of the Community which is covered by Community roles on toberies.

(a) the information specified under points 1.4 below;

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- (b) the quantity (in kg) of each species of fish in the hold,
- (c) the quantity (in kg) of each species caught since the previous transition in
- (d) the REN division or RINAF zone in which the citches were taking
- (e) the quantity (in kg) of each species transferred to other vessels since the verse of the second Community fiching some and the identification of the vessel to which the transfer a second
- (f) the quantity (in kg, of each species landed in a port of the Community since the vessel entered the Community fishing zone.

If the fishing operation requires more than one exit from the Community fisheries zone on any given day, a single communication on the last exit will be sufficient.

- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the tishing concroft the Member States:
  - (a) the information speafied under point 1.4 below;
  - (b) the quantity (in kg) of each species caught since the previous transmission;
  - (c) the ICES division or ICNAF zone in which the catches were made.

1.4. (a) the name, call sign, alconification numbers and letters of the vessel and the name of its muster.

(b) the licence number if the vessel is under licence;

(c) the second number of the movage;

- (d) identification of the type of message;
- (c) the date, the time and the geographical position of the vessel.
- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (refex address 24189 HSI U B) was one of the radio stations listed upder point 3 below and in the form specified under point 4.

2.2. If it is impossible for reasons of force majoure for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

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<u>1</u> .	Nume of	radio station

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Form of communications

The information specified under point 1 shall contain the following elements, which shall be given in the following order:

- name of vessel;
- call sign;
- external identification letters and numbers;
- serial number of the message for the voyage in question;
- indication of the type of message according to the following code:
  - message when entering the Community zone: 'IN',
  - message when leaving the Community zone: 'OUT',
  - --- weekly message: 'WKL';

- the geographical position;

- the ICES division or ICNAE zone in which fishing is expected to commence;
- the date on which fishing is expected to commence;
- the quantity (in kg) of each species of fish in the hold using the code mentioned in point 5 below;
- the quantity (in kg) of each species caught since the previous transmission using the code mentioned in point 5 below;
- the ICFS division or ICNAF zone-in which the catches were made;
- the quantity (in kg) of each species transferred to other vessels since the previous transmission;
- the name and call sign of the vessel to which the transfer was made;
- --- the quantity (in kg) of each species landed in a port of the Community since the previous transmission;
- name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above

- A: Deep-water prawn (Pandalus borealis),
- B: Hake (Merluccius merluccius),
- C: Greenland halibut (Reinhardnus hippoglossoides),

- D: Cod (Gadus morrhua),

- E: Haddick (Melanogrammus zegletinus),
- F: Halibur (Hippoglossus hippoglossus),
- G: Mackerel (Scomber scombrus),
- H: Horse-mackerel (Trachurus trachurus),
- I: Round-nove grenadier (Coryphaenoides rupestris),
- J: Sauhe (Pollachius virens),
- K: Whiting (Merlangus merlangus),
- L: Hernng (Clupea harengus),
- M: Sandeel (Ammodytes sp),
- N: Sprat (Clupca sprattus),
- O: Plaice (Pleuronectes platosa),
- P: Nocway pout (Trisopterus esmarkii),
- Q: Ling (Mulva mulva),
- R: Other.
- S: Shrimp (Penaeidae),
- T: Anchovy (Engraulis encrassicholus).
- U : Redfish (Sebaste sp.);
- V : American Plaice;
- W : Squid (Illex);
- X : Yellowtail;
- Y : Blue whiting (Gadus poutassou).

## EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and the Faeroe Islands about their reciprocal fishing rights in 1980 have not been concluded in time to make it possible to adopt before 31 December 1979 final arrangements for 1980 based on the conclusions of the said consultations.

In order to avoid an interruption of the reciprocal fishing from 1 January 1979 it is necessary for the Community to adopt interim arrangements for fishing by Faeroese vessels valid from 1 January until the entry into force of definitive arrangements for 1980. The Commission considers that the definitive arrangements can enter into force on 1 April 1980. For this reason the Commission proposes that the Council adopt a Regulation establishing an interim regime permitting Faeroese vessels to fish in the Community fishing zone during the abovementioned period.

In order to ensure that the interim arrangements are not more restrictive than the definitive arrangements to be agreed with the Faeroe Islands, and in view of the fact that catches taken during the period covered by the interim arrangements will in any event be counted against the quotas to be set for the entire year 1980, the Commission proposes that the quotas fixed under the interim arrangements be set at a level which is relatively high in relation to the length of the period covered by these arrangements. The Commission considers it appropriate as a general rule to set these quotas at 50% of the quotas agreed with the Faeroe Islands for 1979, except for the mackerel stocks in ICES division IV and subdivision IIIa and Northern deepwater prawn in NAFO subarea 1 for which a token entry quota is proposed. As far as Northern deepwater prawn is concerned, the Commission intends to complete the proposal later in the light of the recommendation which will be made by the Scientific Council of NAFO.

In conformity with Article 2 of the framework agreement on fisheries between the Community and the Faeroe Islands signed on 15 March 1977, the Commission has consulted the Faeroese authorities concerning the interim arrangements provided for in the present proposal. The Faeroese authorities have said that they are satisfied that these arrangements constitute an adequate provisional arrangement except as far as the absence of a mackerel and Northern deepwater prawn quota is concerned. The Commission considers that this problem should be examined during the next consultations.

As to fishing by Community vessels in the Faeroese fisheries zone, interim arrangements should not be necessary provided that the consultations are concluded before mid-December. Under these conditions, the Faeroese authorities should be able to establish, before 1 January, definitive arrangements in conformity with the outcome of the consultations.

- 2

In the event that the consultations were not concluded before mid-December, the Commission would consult the Faeroese authorities on the subject of interim arrangements to permit fishing by Community vessels in Swedish waters.

For the reasons given above, the Commission proposes that the Council adopt the Regulation, a draft of which is attached, as soon as possible, and, in any event, before 10 December 1979.

# Proposal for a COUNCIL REGULATION (EEC)

## laying down certain interim measures for the conservation and management of fishery resources applicable to vessels registered in the Ferce Islands

# THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas on 3 November 1976 the Council adopted a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Community on the one hand and the Government of Denmark and the Home Government of the Faroe Islands on the other have signed a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas fishing from Faroese vessels in the Community's fishing zone is authorized until 31 December 1979 by virtue of Council Regulation (EEC) No 1178/79 of 12 june 1979 Laying down certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands (<sup>1</sup>), as amended by Regulation (EEC) N° 2227/79 (2)

Whereas the consultations held between the Community and the Faroe Islands on the subject of mutual fishing rights for 1980 have not been concluded in time for the adoption, before 31 December 1979, of definitive rules for fishing by Faroese vessels in the Community fisheries zone in accordance with the conclusions of these consultations ;

(1)0\_J\_N<sup>o</sup> L 151, <sup>1</sup>19.6.79, p. 9 (2)0.J\_N<sup>o</sup> L 257, 12.10.79, p. 3 Whereas in order to avoid the interruption of reciprocal fishing by vessels of the two parties in the fisheries zone of the other it is necessary that the Community adopt before 1 January 1980 interim rules authorizing fishing by Faroese vessels in the Community fisheries zone with effect from 1 January 1980 until the entry into force of a definitive regime for 1980;

Whereas in order to comply with this date, it is necessary to adopt these interim measures, on the basis of Article 103 of the Treaty,

SR.

#### HAS ADOPTED THIS REGULATION:

#### Article 1

1. Fishing by vessels registered in the Faroe Islands \_\_\_\_\_\_ the 200 mile zone of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, Davis Strait, Baffin Bay and the Atlantic Ocean north of 43° N shall be authorized during the period 1 January to 31 March 1980 species mentioned in Annex I within the geographical and quantitative limits laid down therein and in accordance with the conditions laid down in this Regulation.

2. Fishing authorized under paragraph 1 shall be limited to the parts of the 200 mile fishing zone lying seawards of 12 nautical miles from the base-lines from which the territorial seas of Member States are measured with the exception that fishing in the Skagerrak is allowed seawards of four nautical miles from the base-lines of Denmark.

3. Notwithstanding paragraph 1 unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

4. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

## Article 2

1. Vessels fishing under the quotas established in Article I shall comply with the conservation and control

measures and all other provisions governing fishing in the zones referred to in that Article.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information set out in Annex II is to be entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division IIIa (<sup>1</sup>) shall transmit to the Commission the information set out in Annex III. This information is to be transmitted according to the rules set out in this Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessels on both sides.

The Home Government of the Faroe Islands has undertaken to send to the Commission information, broken down by species and by ICES area, concerning catches landed by vessels registered in the Faroe Islands and fishing for the quotas established by this Regulation.

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1. Fishing within ICES sub-areas IV, VI, VII, XIV and NAFO zone 1 under the quotas established in Article 1 shall be permitted only where a licence issued by the Commission on behalf of the Community is held on board and where the conditions set out in the licence are observed.

2. The delivery of licences for the purpose of paragraph 1 shall be subject to the condition that the number of licences valid on any one day shall not exceed:

- (a) 18 for fishing mackerel, horse-mackerel and sprat, in ICES sub-areas IV and VI (north of 56° 30' N);
- (b) 22 for fishing Norway pout and sandeel in ICES sub-area IV and in ICES division VIa (north of 56° 30' N);

#### - (c)10 for fishing ling and tusk in ICES division VIb;

(d)10 for fishing Greenland halibut and redfish in ICNAF zones 0 + 1 (east of the median line) and ICES sub-area XIV;

(c)17 for fishing blue whiting in ICES sub-area VII (west of 12° W) and ICES divisions VIa (north of 56° 30° N) and VIb.

3. Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

4. Licences may be cancelled with a view to the issue of new licences. The cancellation shall take effect from the date of the surrender of the licence to the Commission.

When an application for a licence is submitted to the Commission, the following information shall be supplied:

(a) name of the yessel;

(b) registration number;

- (c) external identification letters and numbers;
- (d) port of registration;

(e) name and address of the owner or charterer;

(f) gross tonnage and overall length;

(g) engine power;

(h) call sign and radio frequency;

(i) intended method of fishing;

(j) intended area of fishing;

(k) species for which it is intended to fish;

(l) period for which a licence is requested.

# Article 5

Fishing for the quotas referred to in Article 1 for ling and tusk shall be allowed only by use of the method commonly known as 'long-lining'.

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

# Article 7

Where an infringement is duly found to have taken place, the Membe States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

## Article 8

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

2. It shall apply until 31 March 1980.

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

Done at Brussels,

For the Council

The President

ANNE	<u>( 1</u> '
Fishing	quotas

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SPECIES	Area within which fishing is authorized	Quantity (tonnes)
Ling, tusk	ICES VI b)	500
Mackerel	ICES VI a) (1)	p.m. 15.000
Horse-mackerel	ICES IV, VI a) (1)	3.000
Norway pout	ICES IV, VI a) (1)	11.000 (2) (3)
Sprat	ICES IV	7.500 (2)
Sandeel	ICES IV, VI a) (1)	7.500
Northern deep-water prawn (Pandalus borealis)	- NAFO 1 (4)	p.m.
Blue whiting	ICES VI a) (1) ; VI b), VII (5)	12.500
Greenland halibut	NAFO 1 ICES XIV	50 100
Redfish	NAFO 1 ICES XIV	150 150
Other white fish (by-catches only)	ICES IV, VI a) (1)	

(1) North of 56°30' N

(2) This quota may be exceeded by a maximum of 1.000 tonnes provided that the total catches of Norway pout, sandeel and sprat do not exceed 26.000 tonnes
(3) Or which no more than 3.000 tonnes in ICES division VIa north of 56°30' N
(4) South of 68° N

(5) West of  $12^{\circ}$  W

- 1. The following details are to be entered in the togbook after each haul when fishing within the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries:
- 1.1. the quantity (in kg) of each species caught;
- 1.2. the date and the time of the haul;
- 1.3. the geographical position in which the catches were made;
- 1.4. the fishing method used.
- 2. The following logbook has to be used when fishing within the joint management zone of the Community and Canada in the statistical zone NAFO 0 + 1.

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1. The information to be transmitted to the Commission and the timetable for its transmission are as follows:

1.1. On each occasion the vessel enters:

- the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisherles;
- the joint management zone of the Community and Canada in the statistical zone ICNAF 0 + 1:
  - (a) the information specified under point 1.4 below;
  - (b) the quantity (in kg) of each species of fish in the hold;
  - (c) when and where fishing is to commence.
- 1.2. On each occasion the vessel leaves:
  - the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries; '
  - the joint management zone of the Community and Canada in the statistical zone ICNAF 0 + 1 after a previous notice of leaving of at least 48 hours:
    - (a) the information specified under point 1.4 below;
    - (b) the quantity (in kg) of each species of fish in the hold;
    - (c) the quantity (in kg) of each species caught since the previous transmission;
    - (d) the ICES division or ICNAF zone in which the catches were taken;
    - (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the Community fishing zone or the joint management zone ICNAF 0 + 1 and the identification of the vessel to which the transfer was made;
    - (f) the quantity (in kg) of each species landed in a port of the Community since the vessel entered the Community fishing zone;
    - (g) the quantity (in kg) of discards specified by species since the previous transmission when fushing in the joint management zone ICNAF 0 + 1.
- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the fishing zone of the Member States:
  - (a) the information specified under point 1.4 below;
  - (b) the quantity (in kg) of each species caught since the previous transmission;
  - (c) the ICES division or ICNAF zone in which the catches were made.

1.4. (a) the name, call sign, identification numbers and letters of the vessel and the name of its master;

- (b) the licence number if the vessel is under licence;
- (c) the serial number of the message;
- (d) identification of the type of message;
- (c) the date, the time and the geographical position of the vessel.

2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

Skagen	OXP
Blavand -	OXB
Rønne	OYE
Nordeich	DAF DAK
Norddelen	DAH DAL
· · ·	DALDAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
	GNE
Oban Di na servite	GPK
Portpatrick	GLV
Anglescy	GIL
lltracombe	GNI
Niton	GND
Stonehaven	GND GKA
Partshead	
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Land's End	GLD
Valentia	FJK
Málin Head	EJM
Boulogne , ·	FFB FFU
Brest	FFO
Saint-Nazaire	FFC
Bordeaux-Arcachon	OZN )
Prins Christians Sund	OXF 1
Julianchab	
Galthab	OXI Central Godthäb
Holsteinsborg	OTS OZM
Godhavn	
Thorshavn	OXJ
Velferdsstasjon Færingerham	22239
Bergen	LCN
Farsund .	LGZ
Flore	LGL
Rogaland	LGQ
Tiome -	LGT LGA
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**- K**, N.

4. Form of communications

The information specified under point 1-shall contain the following elements, which shall be given in the following order:

- name of vessel;

- call sign;

- external identification letters and numbers;

- serial number of the message for the voyage in question;

indication of the type of message according to the following code:

message — when entering the Community zone or the joint management zone ICNAF 0 + 1: 'IN',

- message when leaving the Community zone or the joint management zone ICNAF 0 + 1: 'OUT',
- weekly message: 'WKL';

- the geographical position;

- the ICES division or ICNAF zone in which fishing is expected to commence;

- the date on which fishing is expected to commence;

- -- the quantity (in kg) of each species of fish in the hold using the code mentioned in point S below,
- the quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point 5 below when fishing in the joint management zone ICNAF 0 + 1;
- the ICES division or ICNAF zone in which the catches were made;
- the quantity (in kg) of each species transferred to other vessels since the previous transmission;
- the name and call sign of the vessel to which the transfer was made;
- the quantity (in kg) of each species landed in a port of the Community since the previous transmission;
- the name of the master.
- 5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:
  - A Deep-water prawn (Pandalus borealis)
  - B Hake (Merluccius merluccius)
  - C Greenland halibut (Reinhardtius hippoglossoides)
  - D Cod (Gadus morrhua)
  - E Haddock (Melanogrammus aeglefinus)
  - F Halibut (Hippoglossus hippoglossus)
  - G Mackerel (Scomber scombrus)
  - H Horse-mackerel (Trachurus trachurus)
  - I Round-nose grenadier (Coryphaenoides rupestris)
  - J Saithe (Pollachius virens) -
  - K Whiting (Merlangus merlangus)
  - L Herring (Clupea harengus)
  - M Sandeel (Ammodytes sp)
  - N Sprat (Clupea sprattus)
  - O Plaice (Pleuronectes platesia)
  - P Norway pout (Trisopterus esmarkii)
  - Q Ling (Molva molva)
  - R Other
  - S Shrimp (Penaeidae)
  - T Anchovy (Engraulis encrassicholus)