

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 664 final

Brussels, 22 October 1982

Proposal for a

COUNCIL REGULATION (EEC)

on catch declarations by vessels flying the flag of a Member State of the Community operating in the fishing zones of certain developing countries with which the Community has concluded fisheries agreements

(submitted to the Council by the Commission)

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Explanatory memorandum

The Community has concluded fishing agreements with some developing countries and is still negotiating with others.

The agreements are based on the principle of financial compensation in return for fishing rights granted to Community vessels and involve substantial expenditure under the Community budget. It is therefore essential for the Commission to have precise information on their implementation and the results obtained so as to be able to undertake an evaluation of the activities involved, such information being the indispensable basis for renewing the agreements and for the terms to be negotiated in the future.

The aim of the regulation which is the subject of this proposal is therefore to set up a system whereby the masters of ships flying the flag of a Member State and fishing in areas outside the jurisdiction of the countries with which the agreements are concluded must send regular reports on catches to the Commission.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas the Community has concluded with a number of developing countries
fisheries agreements based on the principle of financial compensation for
fishing rights conceded;

Whereas these agreements, which involve a considerable financial commitment
on the part of the Community, cannot be properly managed unless the Commission
is informed of the exact results of fishing operations by vessels flying the
flag of a Member State of the Community in waters under the jurisdiction of the
countries with which agreements have been signed;

Whereas the catches must be notified in such a way as to keep the Commission
promptly informed of the activities of vessels to ensure that the permanent
monitoring of the agreements is as effective as possible having due regard
to the rhythm of operations, which may prevent the making of
written reports at the required intervals,

(1)

(2)

Whereas implementing rules for this Regulation should be adopted by a rapid procedure permitting proper management of the agreements; whereas consequently use should be made of the management committee procedure for fisheries agreements and conventions introduced by Council Regulation (CEE) No 1782 of 1982 laying down procedures for the application of fisheries agreements between the Community and non-member countries and of international conventions for the conservation and management of living marine resources to which the Community is a contracting party (1),

HAD ADOPTED THIS REGULATION :

Article 1

Masters of vessels flying the flag of a Member State shall inform the Commission in accordance with the detailed rules provided for in this Regulation of the results of their fishing operations in the fishing zones of developing countries with which the Commission has concluded or applies a fisheries agreement.

The obligations arising directly from these fishery agreements shall not be affected by the provisions of this Regulation.

Article 2

1. Catch declarations shall be made out on the form set out in Annex I.

The declarations shall cover one calendar month and shall reach the Commission before the tenth day of the following month.

2. Nevertheless if the rhythm of fishing operations so requires, each catch declaration may cover a period different from that referred to in paragraph 1 provided this period does not exceed 30 days. In this case the catch declarations shall reach the Commission at the latest on the fifth day after the end of the fishing trip.

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ANNEX II

I. Information to be transmitted :

1. Date, hour and position each time the vessel enters or leaves the fishing zone of one of the countries referred to in Article 1.
2. Quantities by species of fishery product on board the vessel at the times referred to in point 1.
3. During the periods of activity in each of the fishing zones of the non-member countries referred to in Article 1 : on the first, eleventh and twenty-first day of the month the quantities in kilograms of each species caught since the previous transmission.
4. With each message the name and call sign of the vessel and the name of its skipper as well as the date and time of the message.

II. List of species or groups of species and the codes to be used :

Code to be used

Sole	SOL
Hake	HKC
Pandoras	PAX
Mackerel	MAS
Horse mackerel	HMC
Sardine/Pilchard	PIL
Sardinella	SIX
Tuna	YFT
Octopus	OCT
Cuttlefish	CTL
Prawns	DCP
Other demersal species	GRO
Other pelagic species	PEL
Other cephalopods	CEP
Other crustaceans	CRA
Bivalves	GAS
Sponges	SPO

III. The information is to be transmitted to the Commission of the European Communities, Brussels, Belgium (Telex 24189 FISEU-B)