

COMMISSION OF THE EUROPEAN COMMUNITIES

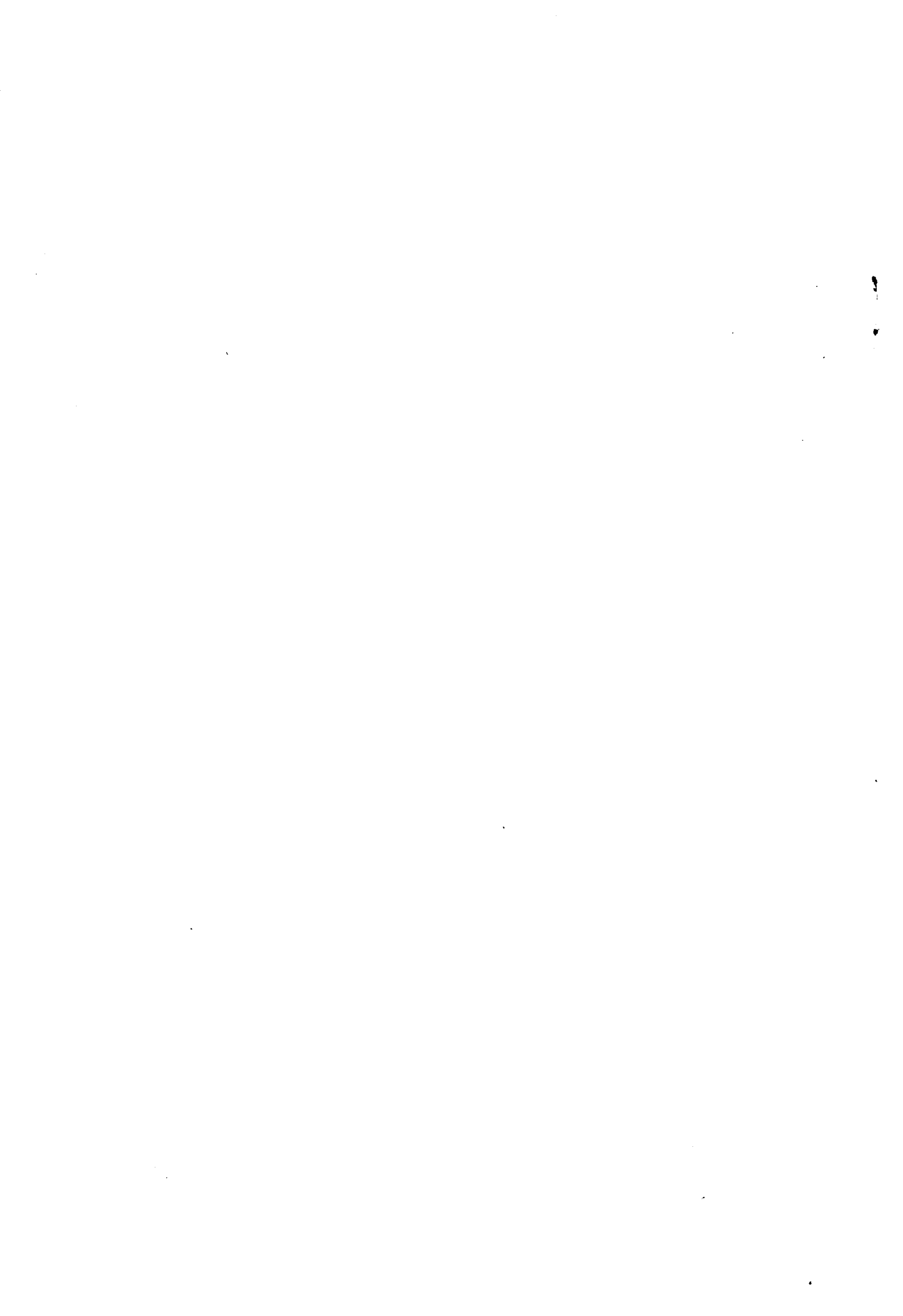
COM (78) 585 final

Brussels, 30 October 1978

AMENDED PROPOSAL OF REGULATION (EEC) OF THE COUNCIL
FIXING THE AUTHORIZED BY-CATCH RATE IN THE FISHERY
FOR CERTAIN SPECIES

(Presented by the Commission to the Council pursuant
to the second paragraph of article 149 of the EEC-Treaty)

COM (78) 585 final



EXPLANATORY MEMORANDUM

The present proposal, submitted in conformity with Article 149 paragraph 2 of the EEC Treaty takes over partly the provisions of the proposal for a Council regulation of the 22 september 1978 (1) concerning the rate of authorized by catches for certain species. Technical modifications have been applied in order to take into account the special nature of the measure to be taken.

Insofar as the provisions of the abovementioned Regulation are not contained in the present proposal or in the proposal for a Council Regulation laying down certain measures for the nephrops fishery,⁽²⁾ they stand as proposals from the Commission, and the Commission reserves its right to submit any formal drafting modifications which may prove necessary.

(1) COM (78) 490 final of 22 september 1978

(2) COM (78) 491 final of 22 september 1978

AMENDED PROPOSAL OF
COUNCIL REGULATION (EEC)

laying down certain technical measures
for the conservation of fishery resources

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,

Having regard to the opinion of the European Parliament (1),

Whereas, pending agreement on the Commission proposal for a common fisheries policy, the measure applied by Member States fixing the authorized by-catch rate in the fishery for certain species should be adopted as Community Regulation.

HAS ADOPTED THIS REGULATION :

ARTICLE 1

1. When fishing species not listed in annex I, catches of species listed in annex I made on any voyage may not exceed 10% by weight of all fish on board or of any representative sample thereof of at least 100 kg after sorting, in the hold or on landing, except salmon and trout, by-catches of which shall be prohibited.

However, in the fishery for sandeel with nets of mesh dimensions of less than 16 mm, not more than 10% by weight of the fish, or any part thereof exceeding 100 kg, on board ship at any time or on landing may consist of other species.

.../...

(1) O.J. No. C 6 of 9 January 1978.

2. In the Kattegat (ICES Division IIIa south of a line drawn from Skagen to Pater Noster Lighthouse), the percentage referred to in the first paragraph shall be :

- 20 % until 31 December 1978 ;
- 15 % from 1 January 1979.

ARTICLE 2

This Regulation shall enter into force on 1 December 1978.
It is applicable until 31 December 1979.

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

Done at Brussels,

For the Council
THE PRESIDENT

Cod (*Gadus morhua*)
Haddock (*Melanogrammis aeglefinus*)
Hake (*Merluccius merluccius*)
Plaice (*Pleuronectes platessa*)
Witch (*Glyptocephalus cynoglossus*)
Lemon Sole (*Microstomus kitt*)
Sole (*Solea solea*)
Turbot (*Scophthalmus maximus*)
Brill (*Scophthalmus rhombus*)
Megrin (*Lepidorhombus* sp)
Whiting (*Merlangius merlangus*)
Dab (*Limanda limanda*)
Saithe (*Pollachius virens*)
Common sea bream (*Pagellus cantabrichus*)
Red mullet (*Mullus surmuletus*)
Bass (*Dicentrarchus labrax*)
Conger eel (*Conger conger*)
Pollack (*Pollachius pollachius*)
Ling (*Molva molva*)
Shad (*Alosa* sp)
Sturgeon (*Acipenser sturio*)
Grey mullet (*Mugil* sp)
Salmon (*salmo salar*)
Trout (*Salmo trutta*)