

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 93 final

Brussels, 9th March 1981

## 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

---

(presented by the Commission to the Council)

COM(81) 93 final

Com 93

EXPLANATORY MEMORANDUM

In order to allow resumption of reciprocal fishing by the Community and Norway pending the conclusion of an Agreement in the form of an exchange of letters establishing fishing arrangements between the Community and Norway for 1981, the Council on 9 February 1981 adopted a Regulation (EEC) No. 398/81 laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (1) for the period from 29 January to 31 March 1981.

The procedures concerning the conclusion of the abovementioned agreement have not been completed in time to permit the adoption before 31 March 1981 of definitive arrangements for 1981. Furthermore consultations about regulatory measures for fishing in Skagerrak and part of Kattegat between the Community, Norway and Sweden did not result in agreement.

The quotas laid down in the present proposal for a Regulation are based on the results of the consultations as set out in the said draft agreement. However, for the fish stocks occurring in Skagerrak and part of Kattegat a p.m. quota is proposed. The Commission intends to complete the proposal at a later stage in the light of an arrangement between the parties concerned.

---

(1) O.J. N° L 45 of 18.2.1981, p. 1

L

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, in accordance with the procedure provided for by the fisheries agreement  
between the European Economic Community and the Kingdom of Norway, and in particular  
Articles 2 and 7 thereof, approved by Council Regulation (EEC) No 2214/80<sup>1</sup>, the  
Community and Norway have held consultations concerning mutual fishing rights in  
1981 and the management of joint biological resources;

Whereas, following these consultations, an agreement in the form of an  
exchange of letters establishing a fishing arrangement between the Community  
and Norway for 1981, was initialled;

Whereas, pending the conclusion of that agreement, reciprocal fishing has been  
resumed on an interim basis ;

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 up to four nautical miles from  
the base-lines ;

-----  
(1) OJ No L 226, 29.8.1980, p. 47

-3-

Whereas the Community, Norway and Sweden have held consultations under that agreement concerning technical measures to be taken in respect of fishing in the zone covered by the agreement, and whereas those consultations have not yet resulted in an agreement;

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 twelve nautical miles from the base-lines of the United Kingdom;

Whereas fishing by Norwegian vessels in the fishing zone of the Community is authorized from 29 January to 31 March 1981 by Regulation (EEC) N° 398/81 (1)

Whereas, in order to avoid an interruption of the Community's and Norway's reciprocal fishing activities, the Community should adopt new interim arrangements authorizing Norwegian vessels to fish in the Community fishing zone from 1 April to 31 May 1981 ;

Whereas, in order to bring this system into force as soon as possible, 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 in 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°00'N shall be authorized during the period 29 January until 31 May 1981 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.

-----  
(1) O.J. n° L 45 of 18.2.1981, p. 1

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 <sup>waters</sup> of Member States are measured, with the following exceptions :

- a) fishing in the Skagerrak shall be authorized 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 bycatches of a species for which no quota is established in a zone shall be authorized 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 shall be entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division IIIa) shall transmit to the Commission, in accordance with the rules set out in Annex IV, the information set out in that Annex.

- 5 -

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

2. Fishing within all the other ICES sub-areas by vessels exceeding 200 DWT under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence.

3. Licences for the purpose of paragraph 1 shall be issued subject to the condition that the number of licences shall not exceed :

- 13 for fishing Greenland halibut ;
- 24 for fishing northern deep-water prawn (*Pandalus borealis*) within ICES-sub-areas XIV and V and in NAFO sub-area 1 .

However, the number of vessels fishing simultaneously for northern deep-water prawn may not exceed:

- 12 as an average calculated per month for the whole year, the maximum being 18 vessels per month, in NAFO sub-area 1 and ICES-sub-areas XIV and V.

4. The Commission shall issue the licences to fish provided for in paragraph 2 to every vessel for which a licence is required by the Norwegian authorities.

5. 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.

./.

6. Licences provided for in paragraph 1 may be cancelled in favour of the issue of new licences. Cancellation shall take effect from the date of the surrender of the licence to the Commission.

7. In the event of failure to comply with the obligations laid down by this Regulation, the licence shall be withdrawn.

8. No licence shall be issued for a maximum period of 12 months/vessels in respect of which the obligations laid down in this Regulation have not been observed.

#### 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 ;
- 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 blue ling, ling, tusk, Greenland halibut, shall be authorized only where the method commonly known as "long-lining" is used.

Article 6

Fishing in Skagerrak for the quotas referred to in Article 1 shall be subject to the following conditions:

- (a) directed fishing for herring for purposes other than human consumption shall be prohibited;
- (b) the use of trawl and purse seine for catching pelagic species shall be prohibited 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 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 from 29 January until 31 May 1981.

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

Done at

For the Council  
The President



ANNEX I

Fishing quotas

Species	Area within which fishing is authorized	Quantity (tonnes)
Herring	Skagerrak (1)	(2)
Mackerel	ICES IV and Skagerrak (1) ICES VI a) (2) + VII d), e), f), h)	6.000 20.000
Sprat	ICES IV Skagerrak	71.000 (2)
Cod	ICES IV Skagerrak (1)	10.000 (2)
Haddock	ICES IV Skagerrak (1)	6.000 (2)
Saithe	ICES IV and Skagerrak (2)	20.000
Whiting	ICES IV Skagerrak (1)	7.000 (2)
Plaice	ICES IV Skagerrak (1)	500 (2)
Sandeel, Norway pout/blue whiting	ICES IV	50.000 (2)
Blue whiting	ICES II, VIa) (2), VIb), VII (2), XIV, Va	100.000
Blue ling	ICES IV, VI, VII	1.000 (6)
Ling & tusk	ICES IV, VI, VII	20.000 (8) (7)
Dogfish	ICES IV, VI, VII	6.000 (8)
Basking shark (9)	ICES IV, VI, VII	800 (8)
Porbeagle	ICES IV, VI, VII	1.000
Northern deep-water prawn (Pandalus borealis)	NAFO 1, (10) ICES XIV + Va	1.000 3.000 (11)
Greenland halibut	NAFO 1 ICES XIV + Va	600 (12) 600 (12)
Other species	ICES IV	5.000

(1) 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 Tistarna and from there to the nearest coast of Sweden.

(2) To be reduced by the quantities taken outside the EEC fishing zone.

(2) North of 56° 30' N.

(2) Of which sandeel alone no more than 50 000 tonnes or Norway pout and blue whiting together no more than 40 000 tonnes.

(2) West of 12° W.

(6) Of which a by-catch of 20 % of cod per ship, per voyage, is authorized in ICES sub-areas VI and VII. The total magnitude of by-catches should not exceed 1.000 tonnes of which not more than 300 tonnes should be cod.

(7) Of which ling may be a maximum of 17.000 tonnes and tusk a maximum of 7.000 tonnes

(8) This quota does not include catches taken in the areas defined in Annex II.

(9) Basking shark liver.

(10) South of 68° N.

(11) Experimental fishery only.

(12) By-catches of halibut should not exceed 10 %.

9

**ANNEX II**

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

- (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 Flannan 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 (Isle) and a line due west of Ard an Runair.

---

**ANNEX III**

- 1. The following details are to be entered in the log-book 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 log-book has to be used when fishing within NAFO sub-area I and ICES sub-area XIV and V.



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:
    - 1.1.1. the 200-nautical mile fishing zone off the coasts of the Member States of the Community which is covered by the fisheries jurisdiction of those Member States;
    - 1.1.2. that part of sub-zones 0 and 1 as defined by the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries situated in the jurisdiction of Denmark or Canada:
      - (a) the information specified under point 1.4 below;
      - (b) the quantity (in kg) of each species of fish in the hold;
      - (c) the date and NAFO sub-zone or ICES division within which the captain intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zone referred to under 1.1.1 and 1.1.2 on a given day one communication shall suffice on first entry.
  - 1.2. On each occasion the vessel leaves:
    - 1.2.1. the zone referred to under 1.1.1:
      - (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 NAFO sub-zone in which the catches were taken;
      - (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the zone 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 zone;
    - 1.2.2. the zone referred to under 1.1.2 after notification at least 48 hours before the vessel leaves, the information referred to under (a), (b), (c), (d), (e) and (f);
      - (g) the quantity (in kg) of discards specified by species since the previous transmission.
  - 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1.1 and 1.1.2:
    - (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 NAFO sub-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;
    - (e) 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 PISEU-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.

3. Name of radio station	Call sign of radio station
Skagen	OXF
Blåvand	OXB
Rønne	OYE
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Oban	GNE
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Prins Christians Sund	OZN
Julianehåb	OXF
Godthåb	OXI
Holsteinsborg	OYS
Godhavn	OZM
Thorshavn	OXJ
Velferdsstasjon Færingerham	22239
Bergen	LGN
Farsund	LGZ
Florø	LGL
Rogaland	LGQ
Tjøme	LGT
Ålesund	LGA

} Central Godthåb

4. Form of communications

The information specified under point 1 concerning the fishing operations in the zones referred to under 1.1.1 and 1.1.2 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 one of the zones referred to under 1.1.1 and 1.1.2: IN,
  - message — when leaving one of the zones referred to under 1.1.1 and 1.1.2: OUT,
  - weekly message: WKL,

- the geographical position,
- the ICES division or NAFO sub-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,
- the ICES division or NAFO sub-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,
- the quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point 5 only in the case of fisheries operations in the zones referred to under 1.1.2.

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 platessa*),
- P. Norway pout (*Trisopterus esmarkii*),
- Q. Ling (*Molva molva*),
- R. Other,
- S. Shrimp (*Penaeidae*),
- T. Anchovy (*Engraulis encrassicholus*),
- U. Redfish (*Sebastes* sp),
- V. American Plaice (*Hypoglossoides platessoides*),
- W. Squid (*Illex*),
- X. Yellowtail (*Limanda ferruginea*),
- Y. Blue Whiting (*Gadus poutassou*).