

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 28 April 1981

Proposal for a

COUNCIL REGULATION (EEC)

Laying down for 1981 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands

(submitted to the Council by the Commission)

In accordance with the framework agreement on fisheries between the European Economic Community on the one hand and the Government of Denmark and the Home Government of the Faroe Islands on the other, the two parties held consultations define their reciprocal conditions for fishing in 1981. These resulted in an agreement on the subject of each party's fishing rights in 1981 in the other's waters.

It is the purpose of the Regulation proposed hereby to establish a regime allowing Faroese vessels to fish in the Community fishery zone in accordance with the agreement reached during the inform consultations. The arrangements provided for in this Regulation are based upon the results of the said consultations as set out in the agreed record initialled by the heads of delegations.

The Council is invited to adopt the Regulation proposed hereby as soon as possible after having consulted the European Parliament.

Proposal for a
COUNCIL REGULATION (EEC)

laying down for 1981 certain measures for the conservation
and management of fishery resources
applicable to vessels registered in the Faroe Islands

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 opinion of the European Parliament (1),

Whereas in accordance with the procedure provided for by the fisheries
agreement between the European Economic Community, on the one hand, and the
Government of Denmark and the local Government of the Faroe Islands, on the
other hand, and, in particular, its article 2 approved by Council Regulation
(EEC) n° 2211/80 (2), the Community, on the one hand, and the Government of
Denmark and the Home Government of the Faroe Islands, on the other hand, have
held consultations concerning their mutual fishing rights for 1981.

Whereas during these consultations the delegations agreed to recommend to
their respective authorities that they fix certain catch quotas for 1981 for
vessels of the other party ;

(1) Opinion delivered on

(2) O.J. No. L 226 of 29.8.1980, p. 11

(3)

HAS ADOPTED THIS REGULATION :

Article 1

1. Fishing by vessels registered in the Faroe Islands 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 in 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 except in Skagerrak to the parts of the 200-mile fishing zone laying seawards of 12 nautical miles from the base-lines from which the territorial seas of Member States are measured.

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 II is to be entered.

3. Vessels referred to in paragraph 1, including those carrying out experimental fishing for shrimps in ICES sub-area XIV but excluding those fishing in ICES division III a) 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.

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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 the waters referred to in Article 1 under the quotas established in the said Article 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) for fishing mackerel and horse mackerel in ICES sub-area IV and division VI a) (north of 56°30'N) and ICES divisions VII e), f) and h) and sprat in ICES sub-area IV and division VI a) (north of 56°30'N);
- (b) for fishing Norway pout in ICES sub-area IV and division VI a) (north of 56°30'N) and sandeel in ICES sub-area IV;
- (c) for fishing northern deep-water prawn (*Pandalus borealis*) in ICES sub-area XIV and in NAFO sub-area 1;
- (d) for fishing ling and tusk in ICES division VI b);
- (e) for fishing Greenland halibut and redfish in NAFO sub-area 1 and ICES sub-area XIV;
- (f) for fishing blue whiting in ICES sub-area VII (west of 12°W) and ICES divisions VI a) (north of 56°30'N) and VI b);
- (g) for fishing porbeagle.

3. The number of vessels holding a licence which shall be allowed to fish simultaneously shall be limited as follows :

(a) in fishing for northern deep-water prawn:

- at any one time: in NAFO sub-area 1 and in ICES sub-area XIV,
- the average number per month, calculated for the entire year: in NAFO sub-area 1 and in ICES sub-area XIV;

(b) in fishing for ling and tusk in ICES division VI b):

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 the issue of new licences. The cancellation shall take effect from the date of the surrender of the licence to the Commission.

6. Should there be an infraction of the obligations fixed by this Regulation the licence shall be withdrawn.

7. 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 ling, tusk and porbeagle is only allowed by use of the method commonly known as 'long-lining'.

Article 6

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

1. directed fishing for herring is prohibited from 1 October until 31 December 1981.
2. directed fishing for herring for purposes other than human consumption is prohibited;
3. the use of trawl and purse seine for the capture of pelagic species is 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 duly established 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

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 from 1 January to 31 December 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)	650
Ling, tusk	ICES VIb)	1.000
Blue ling	ICES VIa, VIb	200
Mackerel	ICES IV	2.000
	ICES VIa(2), VIIe, f, h	11.000
Horse-mackerel	ICES IV, VIa(2), VIIe, f, h	6.000
Norway pout	ICES IV, VIa(2)	30.000(3)(4)
Sprat	ICES IV, VIa(2)	15.000
Sandeel	ICES IV	15.000(3)
Northern deep-water prawn	NAFO 1(5)	600
(<i>Pandalus borealis</i>)	ICES XIV	1.200(6)
Blue whiting	ICES VIa(2), VIb, VII(7)	20.000
Greenland halibut	NAFO 1	150
	ICES XIV	150
Porbeagle	(8)	300
Other white fish (by-catches only)	ICES IV, VIa(2)	750

- (1) Limited in the west by a line drawn from the lighthouse of Hansholm 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
- (2) North of 56°30' north
- (3) This quota may be exceeded by a maximum of 5.000 tonnes provided that the total catches of Norway pout, sandeel and sprat do not exceed 60.000 tonnes
- (4) Of which no more than 10.000 tonnes in ICES division VIa) north of 56°30' north
- (5) South of 68° N
- (6) Experimental fishery only
- (7) West of 12° W
- (8) Entire community zone

ANNEX II

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.
 - 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 NAFO sub-area 1 and ICES sub-area XIV.

EUROPEAN COMMUNITIES' LOGBOOK FOR NAFO SUB-AREA 1 AND ICES SUB-AREA XIV

Vessel name								Communities' licence No				Canadian licence No				Date			Noon position (GMT)					
Side No																Day	Month	Year	Latitude		Longitude		NAFO division 09	
																					N			W

Time tow began (GMT)	Time tow finished (GMT)	Hours fished	Depth (metres)	Position at start of tow			Type of gear	Number of nets or lines used	Mesh size	Catch by species (kilograms - round weight)														
				Latitude	Longitude	NAFO division					Cod (101)	Redfish (103)	Greenland halibut (118)	Halibut (120)	Round-nose grenadier (168)	Catfish (188)	Capelin (340)	Prawn (639)						
										Kept														
										Discarded														
										Kept														
										Discarded														
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										Discarded														
										Kept														
										Discarded														
										Kept														
										Discarded														
										Kept														
										Discarded														
				Sub-total for day						Kept														
										Discarded														
				Total for voyage						Kept														
										Discarded														
Round weight (kilograms) processed today for human consumption																								
Round weight (kilograms) processed today for reduction																								
Total																								

Remarks	Master's signature
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ANNEX III

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, or
 - 1.1.2. that part of sub-areas 0 and 1 as defined by the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries situated under the jurisdiction of Denmark or Canada:
 - (a) the information specified under point 1.5 below;
 - (b) the quantity (in kg) of each species of fish in the hold;
 - (c) the date and NAFO sub-area or ICES sub-area within which the captain intends to commence fishing

Where the fishing operations necessitate more than one entry into the zones 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 sub-area or NAFO sub-area 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
information referred to under (a), (b), (c), (d), (e), (f);
 - (g) the quantity (in kg) of discards specified by species since the previous transmission.
 - 1.3. A notice of leaving at least 48 hours prior to the vessel's scheduled exit from the zone referred to under 1.1.2 and from ICES sub-area XIV.
 - 1.4. At weekly intervals, commencing on the seventh day after the vessel first enters the zones and sub-areas 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 sub-area or NAFO sub-area in which the catches were made.
 - 1.5.
 - (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 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.

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
	PCH
Scheveningen	OST
Oostende	GNF
North Foreland	GKZ
Humber	GCC
Cullercoats	GKR
Wick	GNE
Oban	GPK
Portpatrick	GLV
Anglesey	GIL
Ilfracombe	GNI
Niton	GND
Stonhaven	GKA
Portsmouth	GKB
	GKC
	GLD
Land's End	EJK
Valentia	EJM
Malin Head	FFB
Boulogne	FFU
Brest	FFO
Saint-Nazaire	FFC
Bordeaux-Arcachon	OZN
Prins Christians Sund	OXF
Julianehåb	OXI
Godthåb	OYS
Holsteinsborg	OZM
Godhavn	OXJ
Thorshavn	22239
Velferdsstasjon Færingerhamn	LGN
Bergen	LGZ
Farsund	LGL
Florø	LGQ
Rogaland	LGT
Tjøme	LGA
Ålesund	

} 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',
 - message concerning scheduled exit from the zone referred to under 1.1.2: 'NL',

- the geographical position,
- the ICES sub-area or NAFO sub-area 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-area 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*).
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14.

AGREED RECORD OF CONCLUSIONS OF FISHERY CONSULTATIONS BETWEEN THE
EUROPEAN ECONOMIC COMMUNITY AND THE FAROE ISLANDS - BRUSSELS, 6 FEBRUARY 1981

I. A delegation of the Community headed by Mr. M. Marcussen and a delegation representing the Home Government of the Faroe Islands headed by Mr. P. ELLEFSEN met in Brussels on 6 February 1981 for consultations on mutual fisheries relations in 1981. This meeting was a continuation of previous meetings in Brussels.

II. The delegations agreed to recommend their respective authorities the quota arrangements for 1981 set out in the Annex.

III. Fishery regulations

1. The Community delegation informed the Faroese delegation that fishing for herring in Skagerrak is subject to the following provisions :

- a) Directed fishing for herring is prohibited from 1 January to 31 March 1981 and from 1 October to 31 December 1981 ;
- b) Directed fishing for herring for purposes other than human consumption is prohibited ;
- c) The use of trawl and purse seine is prohibited from Saturday midnight to Sunday midnight.

2. The Faroese delegation informed the Community delegation about the technical measures which will apply for fishing in Faroese waters in 1981.

3. The delegations agreed that a Party intending to introduce or to amend fishery regulations applicable to vessels of the other Party shall inform the latter of such intentions with a notice of at least two weeks. Consultations shall be held if so requested by either Party.

IV. Future negotiations

1. The Community delegation expressed its concern over recent increases of catches in Faroese waters of salmon originating in rivers within the Community. The Faroese delegation stated that the Faroese Home Government is prepared to cooperate with the Community on the conservation of salmon in accordance with the principles mentioned in Art. 66 of the Draft Convention on the Law of the Sea elaborated by the Third United Nations Conference on the Law of the Sea .

Accordingly the delegations agreed to open consultations no later than 30 April 1981 with a view to establishing a limitation of catches in the fishery zone of either party of salmon originating in the rivers of the other party.

2. If the situation of the cod stocks off West and East Greenland improves and the cod fishing will be reopened for fishermen other than Greenland fisherman, the parties will consult with a view to establishing a quota for the Faroe Islands for these stocks, taking into account Faroese fishing interests in the area.

3. If herring fishery in ICES division IV and VIa should be reopened in 1981, the parties shall consult.

V. Licences

The delegations agreed to recommend to their authorities that licences in force as of 31 December 1980 shall remain in force until 15 March 1981 and that the parties shall consult before 28 February 1981 on the licensing regimes applicable for the rest of 1981.


VI. Unilateral declarations

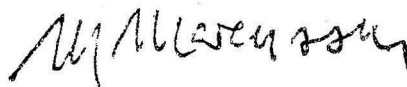
1. The Faroese delegation, although accepting the exchange of fishing quotas described in the Annex as the best solution obtainable in order to avoid an economically and politically unacceptable termination of mutual fishing, expressed its concern over the continued decline in the level of the overall balance in mutual fishing rights and its dissatisfaction with the narrow margin in favour of the Faroe Islands.

The Faroese delegation stressed that the overwhelming dependence on fisheries of the Faroe Islands and their status as a part of the Kingdom of Denmark, which also are recognised in the Framework Agreement, should result in a substantial margin in favour of the Faroe Islands. The Faroese authorities expressed their intention to call for consultations between the authorities concerned regarding ways and means to reach future solutions which to a greater extent could take account of the special situation of the Faroe Islands.

2. The Community delegation underlined that the different area restrictions applicable in the Faroese fishery zone have in the past prevented the full utilization of the quotas allocated to the Community. This delegation considered that if the same were true in 1981 a substantial improvement in the fishery regulations would be necessary to maintain the reciprocal quota arrangements in future years at a level close to that of the arrangement set out in the annex to this record.

Brussels, 6 February 1981


P. ELLEFSEN


M. MARCUSSEN

QUOTAS

1. Each party shall open the catch quotas indicated hereunder for the other in its fishery zone :

1.1. Quotas for Community vessels fishing in the Faroese zone

SPECIES	ICES-division	Quantity (tonnes)
Cod	V b	1.250
Haddock	V b	1.250
Saithe	V b	3.500
Redfish	V b	4.800
Blue ling	V b	4.500
Ling	V b	500
Tusk	V b	400
Flatfish	V b	500
Blue whiting	V b	25.000
Other species	V b	500

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1.2. Quotas for Faroese vessels fishing in the Community zone

SPECIES	Fishing zones ICES division or NAFO zone	Quantity (tonnes)	
Ling	VIb	500	(1)
Tusk	VIb	500	(1)
Blue ling	VIa,VIb	200	
Mackerel (eastern stock)	IV	2.000	
(western stock)	VIa (2), VIIe,f,h	11.000	
Horse mackerel	IV, VIa (2) VII e,f,h	6.000	
Norway pout	IV, VIa (2)	30.000	(3)-(4)
Sprat	IV, VIa (2)	15.000	
Sandeel	IV	15.000	(3)
Blue whiting	VIa (2), VIb,VII(5)	20.000	
Other white fish (by-catches only)	IV, VIa (2)	750	
Herring	IIIaN(Skagerrak)(6)	650	
Northern deep water Prawn (Pandalus borealis)	NAFO 1 (7) XIV	600 1.200	(8)
Greenland halibut	NAFO 1 XIV	150 150	
Porbeagle	Entire Cty.. zone (9)	300	(10)

- (1) These quotas which are interchangeable shall be fished by long-liners only
- (2) North of 56°30'N
- (3) Each of these quotas may be exceeded by a maximum of 5.000 t provided that the total catches of Norway pout, sandeel and sprat do not exceed 60.000 t
- (4) Of which maximum 10.000 t may be fished in ICES VIa north of 56°30'N subject to the provision on request by the EEC of details of the quantity and composition of any bycatch taken
- (5) West of 12°W
- (6) 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
- (7) South of 68°N
- (8) Experimental fishery, subject to specific requirements
- (9) Issuance of licences for fishing for this species in NAFO 3 Ps will be the subject of further consultations.
- (10) May only be fished by long liners.