

COMMISSION OF THE EUROPEAN COMMUNITIES
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PROPOSAL FOR A COUNCIL REGULATION (EEC)
LAYING DOWN CERTAIN INTERIM MEASURES FOR THE CONSERVATION
AND MANAGEMENT OF FISHERY RESOURCES OFF THE WEST GREENLAND
COAST APPLICABLE TO VESSELS FLYING THE FLAG OF CANADA
OR UNDER CHARTER TO COMPANIES REGISTERED IN CANADA

(presented by the Commission to the Council)



EXPLANATORY MEMORANDUM

The purpose of this proposal is to permit fishing in Community waters off West Greenland by Canadian vessels or vessels under charter to Canadian companies for a three-month period, with effect from 1 February 1980, pending the outcome of consultations between the Community and Canada concerning the management of certain joint fish stocks occurring in these waters.

In consultations held from 5 to 10 December 1979 delegations from the Community and Canada agreed upon the extension for 1980 of their Agreement on Fisheries concluded in 1979. An agreement in the form of an exchange of letters providing for provisional application of the extended Agreement was initialled by the Community on 10 December 1979 and the Commission has submitted a recommendation for signature and approval of this Agreement to the Council. Canadian authorities will authorise fishing by Community vessels in Canadian waters from the date at which the Council decides to sign the Agreement.

The consultations held at the same time between the parties concerning the management of certain joint fish stocks occurring in the Davis Strait and Baffin Bay were, however, not concluded, and will continue on 28 January 1980.

Pending arrangement upon definitive arrangements concerning these joint stocks for the year 1980, and taking into account the fact that the Canadian authorities have agreed to authorise fishing by Community vessels in Canadian waters, as soon as the Council decides to sign the initialled Agreement, the Commission considers it necessary for the Community to allow limited reciprocal fishing by Canadian vessels in West Greenland waters.

The Canadian authorities have made their Agreement to a joint management or arrangement conditional upon the Community's acceptance that a number of Norwegian and Faeroese vessels under charter to Canadian companies be permitted to fish allocations to Canada. It has been emphasised by Canada that the use of chartered vessels is a temporary arrangement with a view to facilitating the development of Canadian fishing operations in these waters, which will not extend beyond the year 1980. In view of the possibilities which the Community has under these arrangements to make over part of its own allocation in Canadian waters from these joint stocks to non-Community vessels, the Commission believes that it is in the Community's interest to accede to the Canadian request.

The Commission proposes that the allocation to Canada for the three month period in question be limited to 25% of the 1979 allocations to Canada in Community waters. Canada will in exchange allow Community vessels to fish a similar share of their 1979 quotas in Canadian waters.

Proposal for a
Council Regulation (EEC)

laying down certain interim measures for the
conservation and management of fishery
resources off the West Greenland coast applicable
to vessels flying the flag of Canada or under
charter to companies registered in Canada.

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 Canada have initialled an Agreement providing for the
extension of their Agreement on fisheries signed on 28 June 1979 until 31 December
1980, and have held consultations concerning their mutual fishing allocations for
1980;

Whereas with respect to fishery resources off the West Greenland coast these
consultations have not yet been concluded;

Whereas the delegations from the two Parties have agreed on the adoption of an interim
arrangement pending the outcome of their consultations, by which they recommend to
their authorities that vessels from either Party may fish in the waters under
the fisheries jurisdiction of the other Party in NAFO subareas 0 and 1;

Whereas it is therefore appropriate that the Community permit fishing in Community
waters by vessels flying the flag of Canada or under charter to companies registered
in Canada to continue for a limited period;

Whereas in order to allow reciprocal fishing to be pursued without undue delay it is
necessary to establish this régime as an interim measure on the basis of Article 103
of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The area to which this Regulation applies shall be the part of the fishery zone of Denmark situated within subarea 1
as defined by the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, limited to the north by the parallel of 62° N latitude, and to the west by a line drawn parallel to and at a distance of 12 nautical miles from the baselines from which the territorial waters of Greenland is measured.
2. The catches which vessels flying the flag of Canada or under charter to Canadian companies shall be authorized to take in the period 1 February to 30 April 1980 in the area defined in paragraph 1 shall be limited to the quotas laid down in Annex
3. Notwithstanding paragraph 2, 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.

Article 2

1. Vessels fishing for the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing activities in the zones referred to in Article 1, including the reporting procedures.
2. Vessels referred to in paragraph 1 shall keep a logbook as specified in Annex II. The original of the logbook shall be kept on board the vessel. The pink and blue copies of the logbook shall be sent each month to the Commission of the European Communities at the latest by the last day of the month for the preceding month.
3. Vessels referred to in paragraph 1 shall transmit to the Commission of the European Communities, in accordance with the rules set out in Annex III, the information specified in that Annex.

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

Article 3

1. Fishing shall be permitted only where a licence issued by the Commission on behalf of the Community at the request of the Canadian authorities is held on board and where the conditions set out in the licence are observed.
2. The number of licences issued in accordance with paragraph 1 shall not exceed twelve.
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;
 - (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 which it is intended to fish;
 - (l) period for which a licence is requested.
4. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

Article 4

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

Article 5

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

Article 6

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

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

Done at Brussels,

For the Council
The President

ANNEX I

Quotas

Species	Quantity (tonnes)
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	500
Round-nose grenadier (<i>Coryphaenoides rupestris</i>)	125
Deep-water prawn (<i>Pandalus borealis</i>)	440

EUROPEAN COMMUNITIES' LOGBOOK FOR NAFO ZONES 0 + 1

Vessel name					Date			Noon position (GMT)		
Side No					Communities' licence No			Canadian licence 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											
										Kept											
										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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The following logbook shall be used when fishing within the area referred to in Art. 1.

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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:
into the zone defined in article 1 paragraph 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.

In the event that the fishing operation requires repeated daily entries into the joint management zone, a single communication on first entering the zone will suffice.

- 1.2. On each occasion the vessel leaves the zone 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 quantity (in kg) of each species transhipped since the vessel entered the zone and the identification of the vessel of transshipment;
- (e) the quantity (in kg) of each species landed in a port of the Community since the vessel entered the zone;
- (f) the quantity (in kg) of discards specified by species since previous transmission.

In the event that the fishing operations require repeated daily exits from the joint management zone, a single communication on the last exit will suffice.

- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the zone:

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species caught since the previous transmission;

- 1.4. (a) the name, call sign, identification numbers and letters of the vessel, and the name of the master;
- (b) the licence number if the vessel is licensed to fish;
- (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

Prins Christian's Sund
Julianehåb
Godthåb
Holsteinsborg
Godhavn

OZN
OXF
OXI
OYS
OZM

} Central Godthåb

4. Form of communications

The information specified under point 1 shall contain the following particulars, 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 zone: 'IN',
 - message — when leaving the zone: 'OUT',
 - weekly message: 'WKL';
- the geographical position;
- 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 discarded since the previous transmission using the code mentioned in point 5 below;
- the quantity (in kg) of each species transhipped since the previous transmission;

- the name and call sign of the vessel of transshipment;
 - 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*)
 - C Greenland halibut (*Rheinhardtius hippoglossoides*)
 - D Cod (*Gadus morrhua*)
 - E Haddock (*Melanogrammus aeglefinus*)
 - F Halibut (*Hippoglossus hippoglossus*)
 - I Round-nose grenadier (*Coryphaenoides rupestris*)
 - J Saithe (*Pollachius virens*)
 - K Whiting (*Merlangus merlangus*)
- R Other
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