

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 372 final.

Brussels, 12 July 1979

Proposal for a
COUNCIL REGULATION (EEC)
allocating among Member States certain catch quotas for vessels fishing
in the Regulatory area defined in the Convention on Future Multilateral
Cooperation in the Northwest Atlantic Fisheries

(submitted to the Council by the Commission)



EXPLANATORY MEMORANDUM

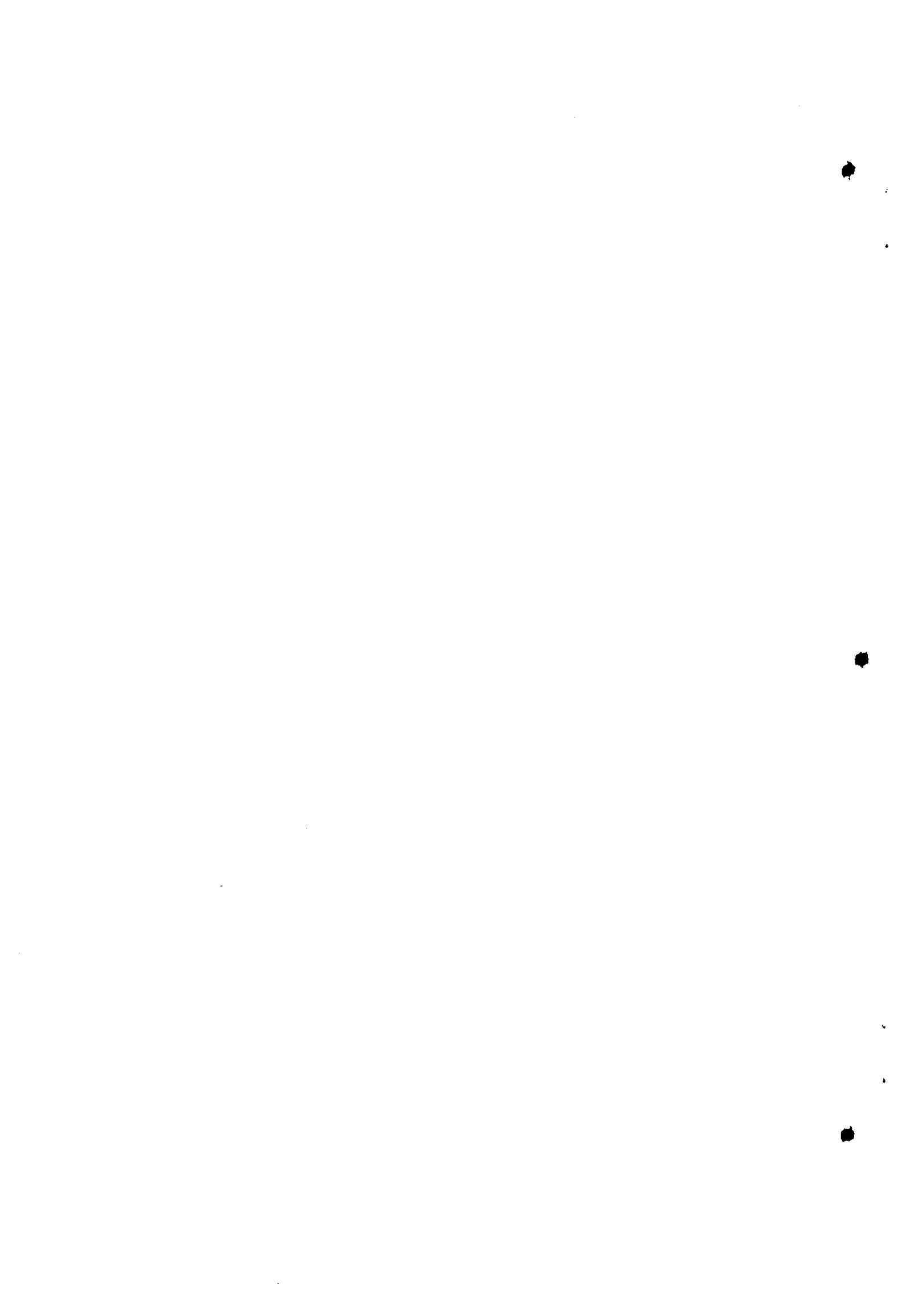
1. On 1 January 1979 the Convention on Future Multilateral Cooperation in the Northwest Atlantic, commonly referred to as the "NAFO" Convention, entered into force. The Community was one of the original signatories of this Convention.

2. Article XXIII of the said Convention provides that upon its entry into force each proposal that has been transmitted or is effective under the International Convention for the Northwest Atlantic Fisheries of 1949 ("the ICNAF Convention") shall become a measure binding upon each Contracting Party to the NAFO Convention with respect to the Regulatory Area defined in the Convention, immediately if the proposal has become effective under the ICNAF, or at such time as it becomes effective thereunder. One such proposal is the establishment of 1979 catch quotas for certain stocks which occur either wholly or in part outside national areas of fisheries jurisdiction.

3. In addition to these quota proposals inherited from ICNAF the NAFO Fisheries Commission has adopted proposals for regulation of the fisheries in the Regulatory area for certain species. This proposal will become binding upon the Community as of 1 July in the absence of an objection.

4. As a Contracting Party to the NAFO Convention, the Community must therefore take steps to ensure that these measures are complied with, and that Community fishing vessels are aware of them. In order to facilitate administration of the EEC quota for each species, the Commission proposes that the Community quota be allocated between Member States, which may proceed to a further breakdown of their quotas between individual vessels. The proposed regulation also requires Community vessels fishing these quotas to report their catches directly to the Commission.

5. In view of the entry into force of the Convention on 1 January 1979, and the fact that fishing for the quotas concerned has already begun, the Council should adopt the proposed Regulation as soon as possible in order to avoid any risk of overfishing.



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allocating among Member States certain catch quotas for vessels fishing in the
Regulatory area defined in the Convention on Future Multilateral Cooperation
in the Northwest Atlantic Fisheries

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,

Whereas the Convention on Future Multilateral Cooperation in the Northwest
Atlantic Fisheries, hereinafter referred to as the NAFO Convention, has been
approved by the European Economic Community in Council Regulation (EEC) No
3179/78¹;

Whereas the NAFO Convention entered into force on 1 January 1979;

Whereas, under Article XXIII of the said NAFO Convention, upon its entry into
force each proposal that has been transmitted or is effective under the International
Convention for the Northwest Atlantic Fisheries, 1949, hereinafter referred to as
the ICNAF Convention, shall become a measure binding on each Contracting Party
with respect to the Regulatory Area defined in the Convention immediately, if the
proposal has become effective under the ICNAF Convention, or at such time as it
becomes effective thereunder;

Whereas a proposal establishing limitations for catches of certain species in the
Regulatory Area for 1979 became effective under the ICNAF Convention on 15 January
1979, and has therefore become a binding measure under the NAFO Convention;

Whereas the Fisheries Commission of the Northwest Atlantic Fisheries Organization
adopted on 9 March 1979 a proposal for the regulation of fisheries for squid and
capelin in the Regulatory area defined in the NAFO Convention, which in the absence
of an objection by the Community, became a measure binding upon the Community on
28 May 1979;

Whereas it is the responsibility of the Community to take appropriate steps to
ensure compliance by Community vessels with the said measure;

Whereas to facilitate the administration of the Community catch quota this quota
should be allocated between Member States;

Whereas this allocation should ensure an equitable distribution of fishing possibil-
ities between Member States;

Whereas information about catches by Community vessels should be made available to
the Commission in order to ensure that these quotas are respected;

Whereas the Commission, acting on behalf of the Community, should be responsible
for notifying Member States and Community fishing vessels that fishing shall cease
from the date on which the said quotas are expected to be exhausted,

HAS ADOPTED THIS REGULATION :

¹OJ No L 378 of 30.12.78

Article 1

1. During the period 1 January - 31 December 1979 catches by vessels flying the flag of a Member State of the Community in the Regulatory Area as defined in Annex III of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries of the species mentioned in Annex I of this Regulation shall be limited within the parts of the Regulatory Area referred to in the said Annex to the quotas set out therein.
2. By-catches of the species referred to in Annex I taken in those areas in which no allocation for a directed fishery is provided by this Regulation shall not exceed 2.500 kg for each species per vessel or 10 per cent by weight for each species of all fish on board the vessel, whichever is the greater.

Article 2

1. Vessels fishing in the area referred to in Article 1 shall have on board a document of registration of the vessel in a form prescribed by national legislation, which shall be made available to any authorized inspector conducting an inspection made under the provisions of the Scheme of Joint International Enforcement.
2. Vessels fishing in the area referred to in Article 1 shall keep a logbook in which the information specified in Annex II is to be entered.
3. The captains of vessels fishing in the area referred to in Article 1 shall supply the information specified in Annex III to the Commission in accordance with the rules set out in that Annex.

Article 3

1. Each Member State shall register all vessels over 50 gross registered tons flying its flag engaged in fishing or in the treatment of sea fish in the area referred to in Article 1.

2. Member States shall transmit an extract of the registration referred to in paragraph 2 to the Commission within 30 days of the entry into force of this Regulation. This extract shall include :

- (a) name of the vessel;
- (b) official number of the vessel registered by the appropriate national authorities;
- (c) home port of the vessel;
- (d) owner or charterer of the vessel;
- (e) certification that the master has been provided with the regulations in force in the Regulatory Area;
- (f) principal target species of the vessel while fishing within the Regulatory Area;
- (g) subareas where the vessel will be expected to fish.

3. Member States shall transmit to the Commission by the twentieth day of each month information concerning the landings made by vessels flying their flag fishing in the area referred to in Article 1 during the previous month, and a copy of the relevant extracts from the logbook of each vessel which has fished in the area referred to in Article 1.

Article 4

The Commission, on the basis of the reports which it receives in accordance with Article 2, shall calculate the date at which each of the quotas set out in Annex I may be expected to be fully utilized, and shall notify Member States and Community fishing vessels operating in the Regulatory Area that fishing for the species in question shall cease from the same date.

Article 5

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

It shall apply until 31 December 1979.

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

Done at,

For the Council,
The President.

A N N E X I

Catch quotas for the period 1 January to 31 December 1979

<u>Species</u>	<u>NAFO Division</u>	<u>Quotas</u>	(tonnes)
COD	3M	France	4.000
		Fed. Rep. of Ger.	3.200
		United Kingdom	1.800
	3NO	EEC	1.180 ⁽¹⁾ ₍₂₎
REDFISH	3M	EEC	2.000 ⁽¹⁾
AMERICAN PLAICE	3LNO	France	700 ⁽²⁾
YELLOWTAIL	3LNO	France	400 ⁽²⁾
SQUID	3	France	2.900
		Fed. Rep. of Ger.	2.000
		Ireland	800
		Italy	1.300

(1) This quota has not been allocated exclusively to Community vessels, but to all Contracting Parties to NAFO and ICNAF having no specific allocation including the Community. Fishing by Community vessels shall thus be suspended once the Community has been informed that the total quota has been exhausted.

(2) Less any quantity taken by Community vessels in the parts of NAFO subarea falling within areas of national fisheries jurisdiction.

ANNEX II

The following details are to be entered in the log-book.

1. The quantity (in kg) of each species of fish in the hold when the vessel enters and leaves the Regulatory Area ;
2. The quantity (in kg) of each species transferred to other vessels since the vessel entered the Regulatory Area and the identification of the vessel to which the transfer was made ;
3. After each haul
 - a) the quantity (in kg) of each species caught ;
 - b) the date and the time of the haul ;
 - c) the geographical position in which the catches were made.

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 the Regulatory Area, as defined in Annex III of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries :

- (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 on which fishing is intended to commence.

1.2. On each occasion the vessel leaves the Regulatory Area :

- (a) the information specified under 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) NAFO subarea in which the catches were made;
- (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the Regulatory Area and the identification of the vessel to which the transfer was made.

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

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species caught since the previous transmission;
- (c) NAFO subarea in which the catches were made.

1.4. (a) the name, call sign, identification numbers and letters of the vessels and the name of its master;

- (b) the licence number of the vessel;
- (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 FISEUB) 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 the radio station

Call sign of radio station

Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
Oban	GNE
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portsmouth	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC

4. Form of communications.

Transmission of the information specified under point 1 shall take the form of messages and the information elements 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 Regulatory Area : 'IN',
 - message - when leaving the Regulatory Area : 'OUT',
 - weekly message : 'WKL';

- the geographical position;
- the NAFO subarea 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 below;
- the NAFO subarea 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;
- name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above :

- C : Greenland Halibut (*Rheinhardtius hippoglossoides*);
- D : Cod (*Gadus morhua*);
- F : Halibut (*Hippoglossus hippoglossus*);
- I : Round-nose grenadier (*Coryphaenoides rupestris*);
- R : Other;
- U : Redfish (*Sebaste* sp.);
- V : American Plaice;
- W : Squid (*Illex*);
- X : Yellowtail;
- Y : Blue whiting (*Gadus poutassou*).