

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 227 final

Brussels, 12 May 1981

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 554/81 as regards the procedure for
issuing certain licences for vessels flying the flag of Sweden

(submitted to the Council by the Commission)

COM(81) 227 final

EXPLANATORY MEMORANDUM

During the consultations which were held with the Spanish Delegation on 17 February 1981 and which defined the reciprocal fishing rights applicable in 1981, it was agreed that certain questions relating to the administration of the numbered licences to be issued to Spanish fishermen would be the subject of further technical consultations. These consultations were concluded on 24 March. The approved summary of the proceedings was signed on 27 March.

To bring the agreed rules into effect, some amendments should be made to Council Regulation (EEC) No. 554/81 of 27 February 1981 (1) on the arrangements applicable to Spanish fishermen pursuing their activities in the Community fishing zone. The attached proposal also makes some corrections to the said Regulation.

The Council is invited to adopt the Regulation a proposal for which is attached.

(1) OJ No. L 57, 4.3.1981, p.1

Proposal for a Council Regulation amending Regulation (EEC) No 554/81 as regards the procedure for issuing certain licences for vessels flying the flag of Sweden

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 Council Regulation (EEC) No. 554/81 (1) fixed certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain;

Whereas, following consultations between the Community and Spain on the rules for issuing licences and the control arrangements for certain categories of vessels, it would seem necessary to insert in the above Regulation specific provisions relating to licences which may be used for more than one vessel;

Whereas it is necessary to make certain other technical corrections to the said Regulation;

Whereas the interim measures provided for by this Regulation on the basis of Article 103 of the Treaty should be included in the final arrangements to be adopted within the framework of the Common Agricultural Policy,

HAS ADOPTED THIS REGULATION:

(1) OJ No. L 57, 4.3.1981, p.1

Article 1

Regulation (EEC) No 554/81 is hereby amended as follows:

1. The following paragraphs 3 and 4 are added to Article 2:

"3. A vessel may hold only one licence.

4. The captains of vessels holding a licence must comply with the special conditions laid down in Annex II. Such conditions shall form part of the licence. However, in the case of vessels holding a licence as referred to in point 3(f) of Annex I, only points 1 and 2 of the special conditions laid down in Annex II must be complied with."

2. Article 3 is amended as follows:

(a) The introductory sub-paragraph in paragraph 1 is replaced by the following:

"When an application is submitted to the Commission for licences as specified in point 3(a), (b), (c) or (f) of Annex I, the following particulars shall be supplied:"

(b) Paragraphs 4, 5 and 6 are deleted.

3. The following Articles 3a, 3b and 3c are inserted:

"Article 3a

1. Licences as referred to in point 3(d) of Annex I may be issued only to vessels included in a list indicating vessels entitled to use such licences in 1981. Such list shall supply the following information in respect of each vessel:

- name of the vessel;
- registration number;
- external identification letters and numbers;

- port of registration;
- name and address of the owner or charterer;
- gross tonnage and overall length;
- call sign and radio frequency.

2. Licences as referred to in point 3(d) of Annex I may be used only by vessels included in a schedule. Such schedule shall indicate the names and registration numbers of any vessel authorized to use one of these licences during the period concerned and the dates when such licences are to be used by each vessel.

The schedules shall be valid for periods of at least one month. The period for which a licence can be used, as indicated in a schedule, shall not be less than two days. The Commission shall approve a schedule not later than four working days after it has been submitted by the Spanish authorities."

"Article 3b

1. Licences as referred to in point 3(e) of Annex I may be issued only to vessels included in a list indicating vessels entitled to use such licences from 1 March to 30 June 1981. Such list shall supply the following information in respect of each vessel:

- name of the vessel;
- registration number;
- external identification letters and numbers;
- port of registration;
- name and address of the owner or charterer;
- gross tonnage and overall length;
- engine power;
- call sign and radio frequency.

2. Licences as referred to in point 3(e) of Annex I may be used only by vessels included in a list. Such list shall indicate for each of the 160 licences the zones and registration number of each vessel authorized to use them during the period covered by such list. Lists shall be valid for periods of at least two weeks. Lists may not provide for the use of each licence by more than three vessels. Each vessel may receive only one licence for the period covered by a list. The Commission shall approve a list not later than four working days after it is submitted by the Spanish authorities."

"Article 3c

1. Notwithstanding the provisions of Articles 3a and 3b, changes in the schedules and lists may be requested where vessels are prevented by force majeure from using the licence during the specified period. Fishing by the vessels concerned shall not be authorised until confirmation has been given by the Commission within 36 hours, excluding public holidays.

2. Should the Commission not be in possession of a new schedule List four working days before the date of expiry of the preceding schedule or list, the provisions valid for the last week covered shall apply for a further week."

4. Article 4(2) is replaced by the following:

"2. Licences other than those specified in point 3(f) of Annex I may be invalidated if the Commission does not have available, on the fifth and twentieth days of each month, the data to be forwarded by the competent Spanish authorities on the catches taken by each vessel and the landings made in each port during the preceding fortnight."

5. The following paragraph 3 is added to Article 6:

"3. Vessels holding a licence authorising them to fish for Ray's bream may not fish any species other than Ray's bream; they may not have on board any species other than Ray's bream."

6. The following subparagraph is added to Article 8(2):

"However, licences the validity of which commences on 1 May 1981 may be valid for a period of one month."

7. In Article 10(2), "(c)" is replaced by "(d)".

Article 2

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

Article 1(5) and (7) shall apply with effect from 4 March 1981.

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

Done at Brussels,

For the Council
The President