

COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(82) 58 final

Brussels, 12th February 1982

PROPOSAL FOR A COUNCIL REGULATION (EEC)

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

(presented by the Commission to the Council)

COM(82) 58 final

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EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and the Faroe Islands about their reciprocal fishing rights in 1982 were only concluded on 1 February 1982. Reciprocal fishing has been interrupted as from 1 January 1982.

In order to avoid a too long interruption it is necessary for the Community to immediately adopt interim arrangements for fishing by Faroese vessels valid from 1 January until the entry into force of definitive arrangements for 1982. The Commission considers that the definitive arrangements can enter into force on 1 May 1982.

The arrangements set out in the proposal for a regulation are based on the result of these consultations.

laying down certain interim 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,

Having regard to / 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 (1), and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for by the said Agreement

, and in particular Article 2 thereof, the Community, on the one hand, and the Government of Denmark and the local Government of the Faroe Islands, on the other hand, have held consultations concerning their mutual fishing rights for 1982 ;

Whereas during these consultations the delegations agreed to recommend to their respective authorities that they fix certain catch quotas for 1982 for vessels of the other Party,

Whereas in order to avoid a too long interruption of reciprocal fishing by vessels of the two parties in the fisheries zone of the other,

it is, necessary that the Community adopt immediately interim rules authorizing fishing by Faroese vessels in the Community fisheries zone

Whereas, consequently, this measure should be adopted on a temporary basis, subject to its later inclusion in a definitive system to be adopted under Article 43 of the Treaty,

1) O.J. n° L 226, 29.8.1980, p. 11

HAS ADOPTED THIS REGULATION:

Article 1

- 1. The only fishing activities by vessels registered in the Faroe Islands in the 200-nautical-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° N which shall be authorized until 30 April 1982 are those

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-nautical-mile fishing zone lying 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 log-book 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.

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) 16 for fishing mackerel in ICES division VI a) (north of 56° 30' N) and ICES divisions VII e), f) and h) sprat in ICES sub-area IV and division VI a) (north of 56° 30' N) and horse mackerel in ICES sub area IV and division VIa (north of 56° 30' N), VIIe, f, h ;
- (b) 12 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) 10 for fishing northern deep-water prawn (*Pandalus borealis*) in ICES sub-area XIV and in NAFO sub-area 1 (south of 68° N);
- (d) 17 for fishing ling and tusk in ICES division VI b);
- (e) 6 for fishing blue ling in ICES divisions IV a) (north of 56° 30' N) and VI b) ;
- (f) 6 for fishing Greenland halibut in NAFO sub-area 1 and ICES sub-area XIV;
- (g) 14 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);
- (h) 3 for fishing porbeagle.
- i) for herring fisheries in ICES division VIa (north of 56° 30' N)
- j) for redfish fisheries in ICES division XIV ;
- k) for capelin fisheries in ICES division XIV.

3. 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.

4. 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.

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

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

7. Licences issued in pursuance of Regulation (EEC) No 3000/81 and valid on 31 December 1981, shall remain valid until 31 March 1982 at the latest, if so requested by the Faroese authorities.

except in Skagerrak/

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 tusk, ling and porbeagle within the limits of the quotas referred to in Article 1 shall be allowed only if the method commonly known as 'long-lining' is used.

Article 6

Fishing in Skagerrak within the limits of the quotas referred to in Article 1 shall be subject to the following conditions:

directed fishing for herring is prohibited until 31 March 1982 and from 1 October until 31 December 1982;
directed fishing for herring for purposes other than human consumption shall be prohibited;

the use of trawl and purse seine for the capture of 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 that this Regulation is enforced.

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

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

It shall apply until 30 April 1982.

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

Done at Brussels,

For the Council

The President

Fishing quotas

SPECIES	Fishing zones ICES division or NAFO zone	Quantity (tonnes)
Ling	VIb	500 (
Tusk	VIb	500 (
Blue ling	VIa(2), VIb	400
Mackerel	IV	
Mackerel	VIa(2), VIIe, f, h	10.000
Herring	VIa(2)	1.800
Horse mackerel	IV, VIa(2), VIIe, f, h	6.000
Norway pout	IV, VIa(2)	20.000 (3) (
Sprat	IV, VIa(2)	15.000
Sandeel	IV	15.000 (
Blue whiting	VIa(2), VIb, VII(5)	25.000
Other white fish (by-catches only)	IV, VIa(2)	750
Herring	IIIaN(Skagerrak)(6)	600
Northern deepwater Prawn (<i>Pandalus borealis</i>)	NAFO 1(7) XIV	500 700
Greenland halibut	NAFO 1 XIV	150 150
Redfish	XIV	500
Porbeagle	Entire Cty.zone exc.NAFO 3PS	300
Capelin	XIV	10.000

(1) These quotas are interchangeable :

(2) North of 56°30'N

(3) Each of these quotas may be exceeded by a maximum of 5.000t provided that the total catches of Norway pout, sandeel and sprat do not exceed 50.000

(4) Of which maximum 7.000 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 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

ANNEX II

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.
 - 1.5. all radio messages sent in conformity with Annex III
2. The following log-book has to be used when fishing within NAFO sub-area 1 and ICES sub-areas XIV and V.

EUROPEAN COMMUNITIES' LOG-BOOK FOR NAFO SUB-AREA 1 AND ICES SUB-AREAS XIV AND V

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

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)	Green land halibut (114)	Hairbut (120)	Round-nose grenadier (168)	Catfish (188)	Capelin (140)	Prawn (619)			
										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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ANNEX II

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. NAFO sub-area 1 as defined by the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries situated under the jurisdiction of Denmark

(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 division 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 1.5 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-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 departure at least 48 hours prior to the vessel's scheduled exit from the zone referred to under 1.1.2 and ICES sub-area XIV.

1.4. When fishing for demersal species 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.

When fishing for pelagic species at daily intervals, commencing the day after the vessel first enters the zone referred to under 1.1.1 :

(a) the information specified under point 1.5 below;

(b) the quantity (in kg) of each species caught since the previous transmission;

(c) the ICES division 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 24 189 FISE U-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	ONP
Blåvand	ONB
Rønne	OYF
Norddeich	DAI DAK
	DAI DAL
	DAI DAM
	DAI DAN
Scheveningen	PCH
Oostende	OSI
North Foreland	GNI
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Oban	GNE
Portpatrick	GPK
Anglesey	GIV
Ilfracombe	GIH
Niton	GNI
Stonchaven	GND
Portshead	GKA
	GKB
	GKC
Land's End	GID
Valentia	FIK
Malin Head	FIM
Boulogne	FIH
Brest	FIU
Saint-Nazaire	FIO
Bordeaux-Arcachon	FIC
Prins Christians Sund	OZN
Jubanchab	ONF
Godthab	ONI
Holstensborg	OYS
Godhavn	OZM
Thorshavn	OXI
Velferdsstasjon færingerhamn	22239
Bergen	LGN
Farsund	LGZ
Florø	LGL
Rogaland	LGQ
Tjøme	LGT
Alesund	LGA

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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',
 - message — when moving from one ICES division to another: 'ICES',
 - weekly message: 'WKL',
 - notice of departure from the zone referred to under 1.1.2: 'NL',

- the geographical position,
- the ICES division 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. Sand-eel (*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*),
- Z. Tuna (*Thunnidae*),
- AA. Blue ling (*Molva dypterygia*),
- BB. Tusk (*Brosme brosme*),
- CC Dogfish (*Scyliorhinus retifer*)
- DD Basking shark (*Cetorhina*)
- EE Porbeagle (~~*Lamna nasus*~~)
- FF Squid loligo (*loligo vulgaris*)
- GG Rays bream (*brama brama*)
- HH Sardine (*sardina pilehardus*)

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AGREED RECORD OF CONCLUSIONS OF FISHERY CONSULTATIONS BETWEEN THE
EUROPEAN ECONOMIC COMMUNITY AND THE FAROE ISLANDS - BRUSSELS, 1 FEBRUARY 1982

I. A delegation of the Community headed by Mr. R. SIMONNET and a delegation representing the Home Government of the Faroe Islands headed by Mr. P. ELLEFSEN met in Brussels on 15 January 1982 for consultations on mutual fisheries relations in 1982. This meeting was a continuation of previous meetings in Copenhagen and Brussels.

II. The delegations agreed to recommend to their respective authorities that the allocations for 1982 set out in the Annex should be made to vessels of either Party fishing in the waters of the other Party. In further consultations the two Parties agreed on the text of the agreed record.

III. Fishery regulations

1. The Faroese delegation informed the Community delegation about the technical measures which will apply for fishing in Faroese waters in 1982.

2. In conformity with § 2 of Article 4 of the Agreement on Fisheries between the two Parties the Community delegation informed the Faroese delegation about the new measures the Community might introduce, in the course of 1982.

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 consultations

1. 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 fishermen, 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.

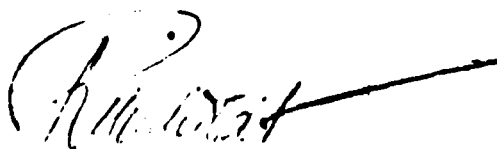
2. If herring fishery in ICES division IV should be reopened in 1982, the Parties shall consult.

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V. Licences

The delegations agreed to recommend to their authorities that licences in force as of 31 December 1981 shall remain in force until 28 February 1982 and that the parties shall consult before the said date on the licensing regimes applicable for the rest of 1982.

Brussels, 1 February 1982



For P. ELLEFSEN

M. RIBERHOLDT



R. SIMONNET

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	Vb	1.250
Haddock	Vb	1.250
Saithe	Vb	3.500
Redfish	Vb	4.800
Blue ling	Vb	4.500
Ling	Vb	500
Tusk	Vb	400
Flatfish	Vb	500
Blue whiting	Vb	25.000
Other species	Vb	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(2), VIb	400	
Mackerel	IV		
Mackerel	VIa(2), VIIe, f, h	10.000	
Herring	VIa(2)	1.800	
Horse mackerel	IV, VIa(2), VIIe, f, h	6.000	
Norway pout	IV, VIa(2)	20.000	(3)(4)
Sprat	IV, VIa(2)	15.000	
Sandeel	IV	15.000	(3)
Blue whiting	VIa(2), VIb, VII(5)	25.000	
Other white fish (by-catches only)	IV, VIa(2)	750	
Herring	IIIaN(Skagarrak)(6)	600	
Northern deepwater Prawn (Pandalus borealis)	NAFO 1(7) XIV	500 700	(8)
Greenland halibut	NAFO 1 XIV	150 150	
Redfish	XIV	500	
Capelin	XIV	10.000	
Porcupine	Entire Cty. zone exc. NAFO 3PS	300	(9)

- (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 5.000t provided that the total catches of Norway pout, sandeel and sprat do not exceed 50.000t.
- (4) Of which maximum 7.000 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) Subject to specific conditions which will be determined after consultations between the Parties.
- (9) May only be fished by long liners.

