

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 720 final

Brussels, 14 November 1980

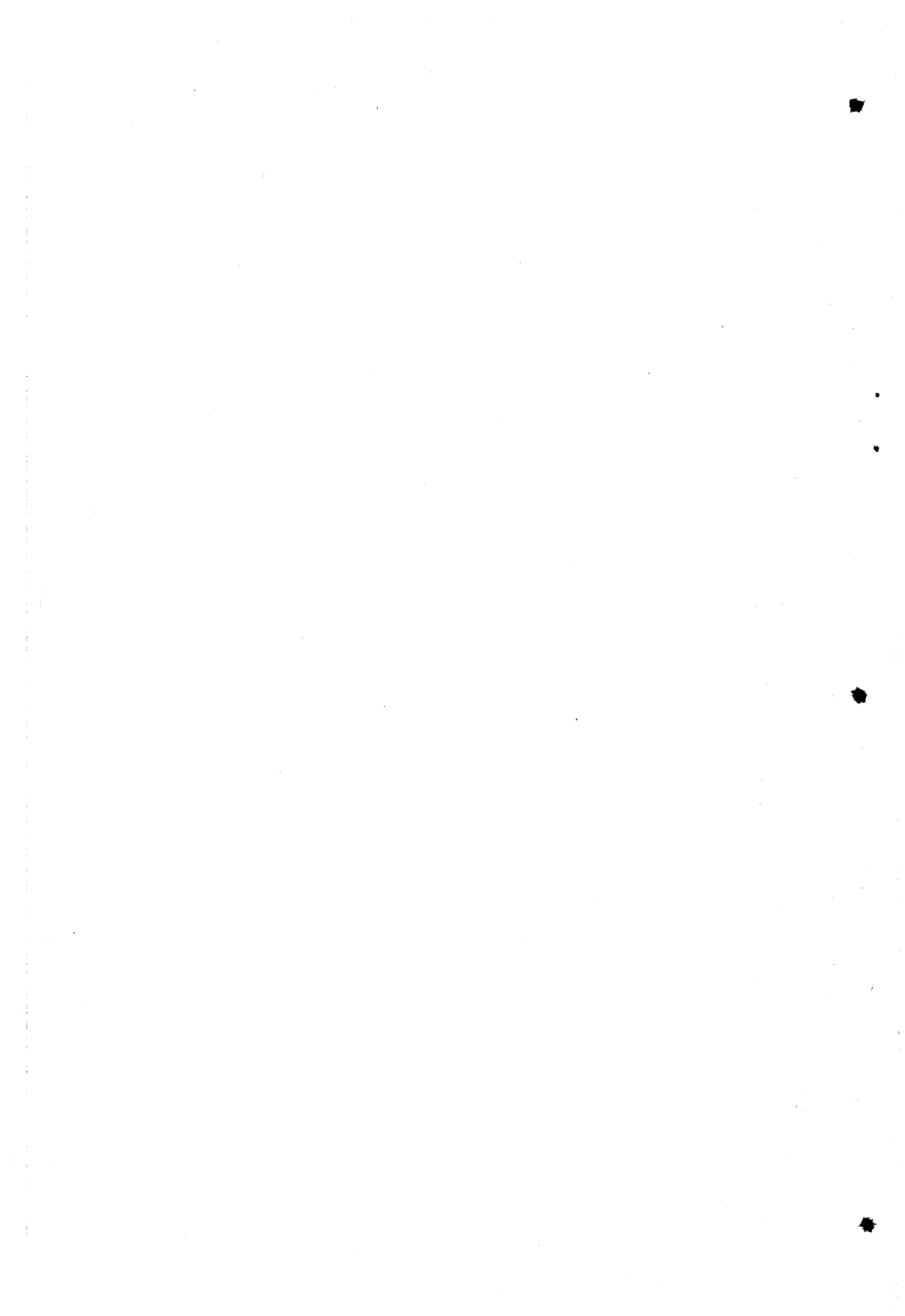
Proposal for a

COUNCIL REGULATION (EEC)

concerning allocation and control of certain catch quotas for 1981
for vessels flying the flag of a Member State and fishing in the
Regulatory Area defined in the NAFO Convention

(submitted to the Council by the Commission)

COM(80) 720 final



1.

EXPLANATORY MEMORANDUM

1. At its annual meeting on 12 September 1980 the Fisheries Commission of the Northwest Atlantic Fisheries Organization (NAFO) adopted proposals for catch quotas for the year 1981 of certain fish stocks occurring in the Regulatory Area defined in the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, to which the Community is a Contracting Party. These proposals become measures binding upon all Contracting Parties to the Convention on 17 November 1980 unless they have lodged an objection pursuant to Article XII of the NAFO Convention. The Community representative voted in favour of these proposals and the Commission sees no reason for an objection by the Community. Consequently, the Community will be bound to adopt appropriate measures to implement the catch limitations provided for in the proposals concerned. This is the purpose of the present proposal.
2. Since the NAFO proposal on squid made on 12 September 1980 does not provide for any allocation of quotas for Canada and the Community, the Commission proposes that the Community establish a quota for its own fishermen which takes account of the TAC proposed by NAFO for the total stock and of the interests of Community fishermen.
3. The other elements of the proposed Regulation, concerning measures to ensure adequate control of fishing activity in the Regulatory Area, are unchanged from the provisions of the corresponding Regulation for 1980 adopted by the Council (1).

Proposal for a
COUNCIL REGULATION (EEC)

concerning allocation and control of certain catch quotas for 1981 for vessels flying the flag of a Member State and fishing in the Regulatory Area defined in the NAFO Convention

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⁽¹⁾,

Whereas the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries⁽²⁾ hereinafter referred to as the NAFO Convention, was approved by the Council in its Regulation (EEC) No 3179/78⁽³⁾

Whereas the NAFO Convention entered into force on 12 January 1979;

Whereas the Fisheries Commission of the North-West Atlantic Fisheries Organization adopted on 12 September 1980 a proposal establishing limitations for catches of certain species in the Regulatory Area for 1981, which becomes a measure binding upon the Community on 17 November 1980;

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 possibilities between Member States;

Whereas the NAFO Commission proposal on squid, made on 12 September 1980, does not provide for any allocation of quotas for Canada and the Community; whereas the Community should therefore establish a quota for its own fishermen at a level which takes account both of the TAC proposed by NAFO for the entire stock and of the interests of Community fishermen;

Whereas information about catches by Community vessels should be made available to their respective Member States and to the Commission in order to ensure that these quotas are complied with,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 31 December 1981 catches of the species mentioned in Annex I by vessels flying the flag of a Member State in the Regulatory Area, as defined in Article 1 (2) of the NAFO Convention⁽²⁾, 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

(1) OJ

(2) OJ No L 378, 30.12.1978, p. 2

(3) OJ No L 378, 30.12.1978, p. 1

not exceed for each of those species on board the vessel 2 500 kg or 10 % 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 keep a log-book in which the information specified in Annex II is to be entered.
2. Vessels fishing in the area referred to in Article 1 shall transmit to the authorities of their flag State by the 16th day of each month in respect of the first half of that month and by the first day of each month in respect of the second half of the preceding month reports concerning their catches in the said area. Such reports shall give catches in tonnes by species and quota area for the period covered by the report.
3. In addition to the reports to be transmitted in accordance with paragraph 2, vessels fishing in the area referred to in Article 1 shall transmit reports concerning their catches from any quota referred to in footnote 1 of Annex I in increments of 10 tonnes.

Article 3

1. Member States shall transmit regularly to the Commission the reports of vessels flying their flag which have been made in accordance with Article 2 (2). Reports received in respect of the first half of each month shall be transmitted to the Commission by the 20th day of the same month and those received in respect of the second half of each month shall be transmitted by the fifth day of the following month.
2. Reports received in accordance with Article 2 (3) shall be transmitted without delay to the Commission.
3. Member States shall transmit to the Commission by the 20th day of each month information concerning the landings made during the previous month by vessels flying their flag fishing in the area referred to in Article 1.

Article 4

1. Member States shall inform the Commission of all vessels flying their flag which intend to engage in fishing or in the processing of sea fish in the area referred to in Article 1 at least 30 days before the intended commencement of such activity. This information 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) name of owner or charterer of the vessel ;
- (e) a declaration that the master has been provided with a copy of the regulations in force in the Regulatory Area ;
- (f) principal target species of the vessel while fishing within the Regulatory Area ;
- (g) sub-areas where the vessel will be expected to fish.

2. The Commission shall transmit the information received from Member States in accordance with paragraph 1 to the Executive Secretary of the North-West Atlantic Fisheries Organization, hereinafter referred to as 'the Executive Secretary'.

Article 5

1. In the case of quotas referred to in Article 2 (3), the Commission shall report to the Executive Secretary, in increments of 20 tonnes, the catches taken by Community vessels.
2. When informed by the Executive Secretary that one of the quotas referred to in paragraph 1 has been fully utilized, the Commission shall so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock concerned shall cease within 10 days of the date of receipt by the Commission of the information from the Executive Secretary.
3. If the Commission has reason to believe, on the basis of the information received from the Member States, that the quota concerned has been fully utilized, it shall, without waiting for the notification from the Executive Secretary, so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock in question shall cease without delay.

Article 6

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 1981

4

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

Catch quotas for the period 1 January to 31 December 1981

Species	NAFO Division	Quotas (tonnes)	
Atlantic cod	3NO 3M	France	70
		France	715
		Germany	570
		United Kingdom	185
American plaice	3LNO 3M	France	700 (2)
		EEC	500 (1)
Yellowtail flounder	3LNO	France	400 (2)
Redfish	3M	France	100
		Germany	1000
		United Kingdom	100
Witch	3NO	EEC	50 (1)
Squid (Illex)	3 + 4	EEC	7500 (2)

(1) This quota has not been allocated exclusively to Community vessels but to all Contracting Parties to NAFO 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 sub-areas falling within areas of national fisheries jurisdiction.

ANNEX II

Required log-book entries

Vessel name

Vessel nationality

Vessel registration number

Home port

Types of gear used (daily)

Type of gear

Date: — day

— month

— year

Situation: — latitude and longitude

or

— statistical area

Number of hauls during the 24-hour period (1)

Number of hours gear fished during the 24-hour period (1)

Names of species

Daily catch of each species (tonnes live weight)

Daily catch of each species for human consumption in the form of fish

Daily catch of each species for reduction

Daily discard of each species

Cumulative catch of each species (tonnes live weight)

Place(s) of landing or trans-shipment

Date(s) of landing or trans-shipment

Master's signature

(1) When two or more types of gear are used in the same 24-hour period, records should be separate for each type.



Northwest Atlantic Fisheries Organization

7.

In all correspondence,
please refer to:

GF-070

18 September 1980

Sir,

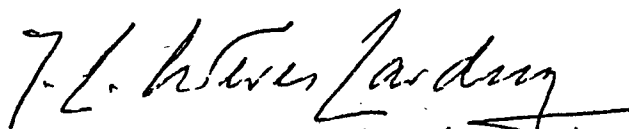
The Executive Secretary presents his compliments to the Delegation of the Commission of the European Communities and to the Diplomatic Missions of the Governments Parties to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries signed at Ottawa under date of 24 October 1978.

In accordance with the provisions of paragraph 6 of Article XI of the Convention, the Executive Secretary has the honour to transmit herewith for the consideration of the Contracting Parties the enclosed copy of the following Proposal:

- (9) for international regulation of the fisheries for particular stocks in Subareas 3 and 4 of the Convention Area.

This Proposal was adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 12 September 1980. For the purposes of paragraph 1 of Article XII of the Convention, the date of transmittal of this Proposal is 18 September 1980.

The Executive Secretary would be grateful if each Chief of Mission and Head of Delegation would forward the enclosed document to the appropriate authorities at his earliest convenience.


J. C. Esteves Cardoso (Captain)
Executive Secretary

JCEC:vck

Encl.

8.

(9) Proposal for International Quota Regulation of the Fisheries for Particular Stocks in Subareas 3 and 4 of the Convention Area, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 12 September 1980

That, in 1981, Contracting Parties conduct their fisheries in the Regulatory Area in such a manner that catches shall not exceed the total allowable catch for each stock and the quotas for each stock set out in the attached Table.

Table - Integral Part of Proposal (9) for the International Quota Regulation of the Fisheries in the Regulatory Area, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 12 September 1980. Total allowable catches and quotas (metric tons) for 1981 of particular stocks or species for Contracting Parties conducting fisheries in the Regulatory Area.

CONTRACTING PARTY	COD		REDFISH		AMERICAN PLAICE		YELLOWTAIL	WITCH	CAPELIN	SQUID (<i>Illex</i>) ^{1,2}
	3M	3NO	3M	3LN	3M	3LNO	3LNO	3NO	3LNO	3 + 4
Bulgaria	-	-	300	-	-	-	-	-	-	500
Canada	100	3,267	5,500	8,000	250	54,200	20,500	3,000	-	-
Cuba	295	283	1,550	2,250	-	-	-	-	-	2,250
European Economic Community	1,470	70	1,200	-	-	700	400	-	-	-
Faroe Islands (Denmark)	1,775	-	-	-	-	-	-	-	-	-
German Democratic Republic	-	-	-	850	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-
Japan	-	-	400	-	-	-	-	-	-	2,250
Norway	735	-	-	-	-	-	-	-	-	-
Poland	305	-	-	-	-	-	-	-	-	1,000
Portugal	2,145	367	600	850	250	-	-	-	-	500
Romania	-	-	-	-	-	-	-	-	-	500
Union of Soviet Socialist Republics	780	1,447	10,350	12,900	1,000	-	-	1,950	-	5,000
Others	50	233	100	150	500	100	100	50	-	-
Special Reservation	345 ³	3,000 ³	-	-	-	-	-	-	-	2,250 ³
Total	8,000 ⁴	8,667 ⁵	20,000	25,000	2,000	55,000	21,000	5,000	-	150,000

¹ Any quota listed for squid may be increased by a transfer from any other quota listed for squid or by a transfer from any "coastal state" as defined in Article I, paragraph 3, of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

² The opening date for the squid (*Illex*) fishery is 1 July 1981.

³ Reserved for Spain.

⁴ Interim for calendar year, subject to review.

⁵ January to April.

