

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 43 final.

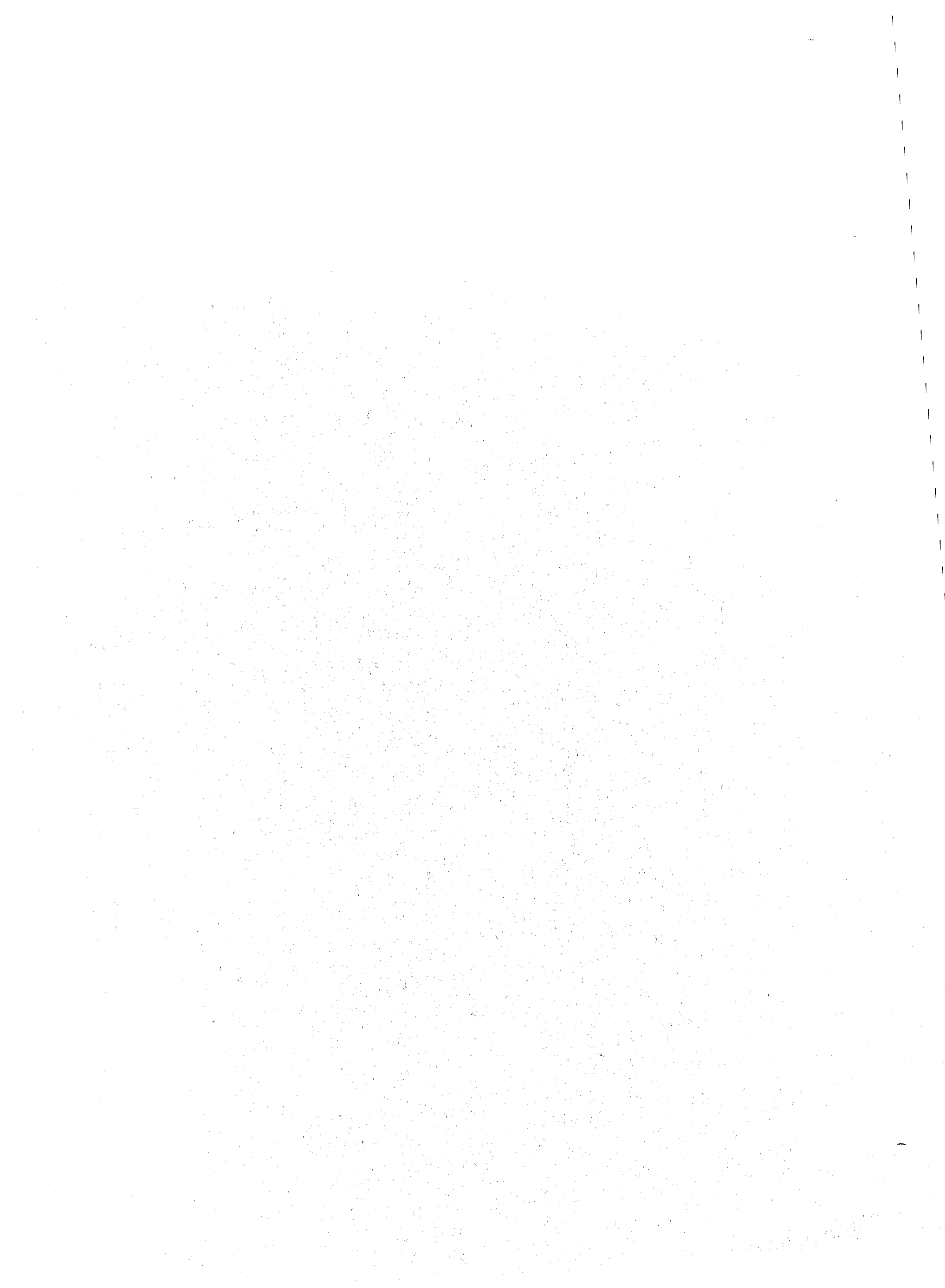
Brussels, 31 January 1978.

Proposal for a
COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain

(submitted to the Council by the Commission)

COM(78) 43 final.



EXPLANATORY MEMORANDUM

At its session of 6 and 7 December 1977 the Council decided to extend all arrangements applicable to fishing by the vessels of non member countries in the Community fishery zone up to 31 January 1978, pending a decision by the Council of 16 January 1978 upon the Commission's proposals for an internal fisheries policy.

As the Council did not arrive at such a decision on 16 January it is now necessary to extend once more these interim arrangements in order to avoid an interruption of reciprocal fishing.

The regulation which is the subject of the present proposal is intended to extend the interim regime applicable to Spanish vessels for a further one-month period.

Proposal of
COUNCIL REGULATION (EEC) No /78
of 30 January 1978

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession,

Having regard to the proposal from the Commission,

Whereas the Council adopted, on 30 January 1978, rules establishing a Community system for the conservation and management of fishery resources;

Whereas in Regulation (EEC) No 373/77 (1), the Council laid down, for the period 1 January to 31 March 1977, certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries, and in particular Spain;

Whereas in Regulation (EEC) No 3021/77 (2), the Council extended for the last time the application of certain provisions of Regulation (EEC) No 373/77, as far as Spain is concerned;

Whereas the above Regulations were adopted in order to establish interim measures pending the conclusion of negotiations between the Community and these countries, and in particular Spain, with a view to concluding framework agreements on fisheries;

Whereas the negotiations with Spain have not yet been concluded, and it is therefore necessary to lay down interim measures for a period of one month,

(1) OJ No L 53, 25. 2.1977, p. 1
(2) OJ No L 355, 31.12.1977, p. 47

Article 1

1. The only catches which vessels flying the flag of Spain shall be authorized to take in the 200-mile fishing zones situated off the North Sea and Atlantic coasts of Member States covered by Community rules on fisheries are laid down in the Annex.
2. The fishing quotas shall be granted subject to compliance with the conservation and surveillance measures and all other provisions governing fishing in the zones referred to in paragraph 1.

Article 2

1. Fishing within the zones referred to in Article 1 shall be subject to the granting of a licence by the Commission on behalf of the Community, and to observance of the conditions set out in the licence.
2. The validity of the licences issued by the Commission under Regulation (EEC) No 2160/77 (3) is hereby extended to 28 February 1978.

Article 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 methods of fishing,
- j) intended area of fishing,
- k) species which it is intended to fish,
- l) period for which a licence is requested.

Article 4

Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

(3) OJ No L 250, 30. 9.1977, p. 17

Article 5

1. The licence holder shall be required to comply with the conditions of the licence and to notify a radio station in the Member States at the times stipulated in the licence of the vessel's position and the catch of each species.
2. The Member States radio stations shall immediately notify the Commission directly of messages transmitted by the fishing vessels of non-member countries in compliance with the licence.

Article 6

Member States shall take all possible steps to ensure the enforcement of Article 1 in respect of the maritime waters coming under their sovereignty or falling under their jurisdiction, including the regular inspection of vessels.

Article 7

Within 24 hours of detecting any infringement Member States shall inform the Commission of the name of the vessel involved and details of the action they have taken.

Article 8

This regulation shall enter into force on 1 February 1978.

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

Done at Brussels,

For the Council,

The President

ANNEX

1. Catch quota for the period from 1 to 28 February 1978

Species	Division		Quantity (tons)
	ICES	ICNAF	
Hake	IV		117
	VII		400
	VIII		483
Other species, except plaice, and sole, taken as by-catches of hake (1)	VI		390
	VII		1 333
	VIII		1 610

(1) catches of cod, haddock, whiting and saithe shall not constitute more than 3% of the catch on board any vessel and catches of clupeiforms and invertebrates not more than 5%.

2. Number of standard-vessel licences that may be issued for each ICES or ICNAF division (1)

Division (ICES or ICNAF)	Number of licences
IV	23
VII	84
VIII	95

3. Maximum number of standard vessels (1) permitted to fish at the same time in a given zone for which a licence has been obtained:

Division (ICES or ICNAF)	Number of vessels
VI	15
VII	53
VIII	74

(1) A standard vessel is a vessel having a BHP equal or inferior to 800 BHP.

If the BHP exceeds 800 BHP, the following conversion factors will be applied:

- vessels of a power equal to or greater than 800 but not greater than 1100 BHP - 1.75

- vessels of a power greater than 1100 but not greater than 1500 BHP - 2.25.