

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 147 final

Strasbourg, 14 March 1979

PROPOSAL FOR A COUNCIL REGULATION (EEC)
LAYING DOWN FOR THE PERIOD 1 JANUARY TO 31 DECEMBER 1979
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(79) 147 final



COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 147 final/2

Brussels, 20 March 1979

Concerns only the English version

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TO VESSELS REGISTERED IN THE FAROE ISLANDS

(presented by the Commission to the Council)

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) 18 for fishing mackerel, horse mackerel and sprat, in ICES sub-areas IV and VI (north of 56°30' N);
- (b) 22 for fishing Norway pout and sandeel in ICES sub-area IV and in ICES division VI a (north of 56°30' N);
- (c) 18 for fishing Northern deep water prawn, in ICNAF zones 0 + 1 (east of the median line);
- (d) 10 for fishing ling and tusk in ICES division VI b;
- (e) 10 for fishing Greenland halibut and redfish in ICNAF zones 0 + 1 (east of the median line) and ICES subarea XIV;
- (f) 17 for fishing blue whiting in ICES subarea VII (West of 12° W) and ICES divisions IVa and VIb.

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. Licences issued pursuant to Regulation (EEC) No 2579/78 of 30 October 1978 laying down the number of licences for vessels registered in the Faroe Islands for fishing within the 200-mile fishing zone of the Member States (1) shall remain valid if so requested by the Faroese authorities until 15 April 1979.

EXPLANATORY MEMORANDUM

The consultations which have taken place between the European Economic Community, the Government of Denmark and the Home Government of the Faroe Islands, according to the rules set out in the Framework Agreement on Fisheries negotiated between the two parties, have resulted in agreement between the two delegations about fishing rights for the year 1979 for each party in the waters of the other.

It is the purpose of the two Regulations proposed hereby to establish a regime allowing Faroese vessels to fish in the Community fishery zone in accordance with the agreements reached during the said consultations. The arrangements provided for in these Regulations are based upon the attached Agreed Record of the conclusion of the consultations. Since the interim regime under which Faroese vessels are authorised to fish at present in the Community's fishery zone (Regulation (EEC) n° 397 /79 expires on 31 March 1979 it is necessary that a new regime is adopted before that date if an interruption of the reciprocal fishing activities between the Community and the Faroe Islands is to be avoided.

In order to respect this time limit the Commission proposes that the proposed regime be established initially by an interim Regulation on the basis of Article 103 of the Treaty and subsequently replaced by a Regulation adopted under Article 43. The Commission therefore submits at the same time proposals for two Regulations.

The Council is invited to adopt the Regulation based upon Article 103 before 31 March and to adopt the second Regulation based upon Article 43 as soon as possible after having consulted the European Parliament.

PROPOSAL FOR A
COUNCIL REGULATION (EEC)

laying down for the period 1 January to 31 December 1979 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, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas on 3 November 1976 the Council adopted a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Community on the one hand and the Government of Denmark and the Home Government of the Faroe Islands on the other have signed a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas the Community, the Government of Denmark and the Home Government of the Faroe Islands have held consultations concerning their mutual fishing allocations for 1979;

Whereas during these consultations the delegations agreed to recommend their respective authorities that they fix certain catch quotas for 1979 for vessels of the other party;

Whereas delegations from the Community and Canada have agreed to recommend their authorities that they coordinate their decisions on the allocations to be given to third parties of certain joint stocks of fish and prawn in Davis Strait and Baffin Bay;

Whereas the two delegations have agreed to recommend their authorities that they allocate to the Faroe Islands 4.136 tonnes of the said joint stock of prawn of which a specified part is to be taken in the Community zone;

Whereas fishing by Faroese vessels in the fishing zone of the Community is authorised until 31 March 1978 by Council Regulation (EEC) No 397/79 (1);

Whereas in order to avoid an interruption of the Community's and Faroe's reciprocal fishing activities it is necessary that the Community adopt a new regime before 31 March 1979 allowing fishing by Faroese vessels in the Community's fishing zone in accordance with the arrangements agreed upon during the consultations referred to above;

Whereas in order to respect this time-limit it is necessary to establish this regime as an interim measure on the basis of Article 103 of the Treaty, subject to it being included at a later date in the common agricultural policy,

HAS ADOPTED THIS REGULATION:

Article 1

1. Fishing by vessels registered in the Faroe Islands in the 200 miles 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°00' N shall be authorised in 1979 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 authorised under paragraph 1 shall be limited to the parts of the 200 miles fishing zone lying seawards of 12 nautical miles from the base-lines from which the territorial seas of Member States are measured with the exception that fishing in the Skagerrak is allowed seawards of 4 nautical miles from the base-lines of Denmark.

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 logbook in which the information set out in Annex II is to be entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division IIIa 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 vessels on both sides.

Article 3

1. Fishing within ICES subareas IV, VI, XIV and ICNAF zones 0 + 1 under the quotas established in Article 1 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) for fishing mackerel, horse mackerel and sprat, in ICES sub-areas IV and VI (north of 56°30' N);
- (b) for fishing Norway pout and sandeel in ICES sub-area IV and in ICES division VI a (north of 56°30' N);
- (c) for fishing Northern deep water prawn, in ICNAF zones 0 + 1 (east of the median line);
- (d) for fishing ling and tusk in ICES division VI b;
- (e) for fishing Greenland halibut in ICNAF zones 0 + 1 (east of the median line) and ICES subarea XIV;
- (f) for fishing redfish in ICNAF zones 0 + 1 (east of the median line) and ICES subarea XIV;
- (g) for fishing blue whiting in ICES subarea VII (West of 12° W) and ICES divisions IVa and VIb.

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. Licences issued pursuant to Regulation (EEC) No 2579/78 of 30 October 1978 laying down the number of licences for vessels registered in the Faroe Islands for fishing within the 200-mile fishing zone of the Member States (1) shall remain valid if so requested by the Faroese authorities until 15 April 1979.

(1) OJ No. L 309, 1.11.1978, p. 12

Article 4

When an application for a licence is submitted to the Commission, the following information shall be supplied:

- (a) name of the vessels;
- (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 the quotas referred to in Article 1 for mackerel for reduction purposes in ICES division IV South of 60° N is not allowed before 15 August 1979.

Article 6

Fishing for the quotas referred to in Article 1 for ling, and tusk, is only allowed by use of the method commonly known as "long-lining".

Article 7

Fishing in Skagerrak for the quotas referred to in Article 1 is subject to the following provisions:

1. Directed fishing for herring is prohibited from 1 January to 31 March 1979 and from 1 October to 31 December 1979;

2. Directed fishing for herring for purposes other than human consumption is prohibited;
3. The use of trawl and purse seine for the capture of pelagic species is prohibited from Saturday midnight to Sunday midnight.

Article 8

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 9

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 10

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

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

FISHING QUOTAS FOR THE PERIOD 1 JANUARY TO 31 DECEMBER 1979

Species	Area within which fishing is authorised	Quantity (tonnes)
Herring	Skagerrak (1)	700
Ling, tusk	ICES VIb	1.000
Mackerel	ICES IV	10.000 (2)
	ICES IV, (3), VIa (4)	30.000
Horse mackerel	ICES IV, VIa (4)	6.000
Norway pout	ICES IV, VIa (4)	22.500 (5) (6)
Sprat	ICES IV, VIa (4)	15.000
Sandeel	ICES IV	15.000 (5)
Northern deep-water prawn (<i>Pandalus borealis</i>)	ICNAF 0 + 1 (7)	3.600
Blue whiting	ICES VIa (4), VIb, VII (8)	25.000
Greenland halibut	ICNAF 0 + 1 (9)	100
	ICES XIV	200
Redfish	ICNAF 0 + 1 (9)	300
	ICES XIV	300
Other white fish (by catches only)	ICES IV, VIa (4)	850

(1) 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.

(2) of which no more than 1.000 t may be fished in the parts of ICES subarea IV situated either south of 60° N or east of 2° E.

(3) North of 60° N and West of 2° E

(4) North of 56°30' N

(5) This quota may be exceeded by a maximum of 2.500 t, provided that the total catches of Norway pout, sandeel and sprat do not exceed 52.500 t.

(6) of which no more than 6.000 t in ICES division VIa north of 56°30' N

(7) east of the median line and south of 68° N

(8) West of 12° W

(9) east of the median line

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.

2. The following log-book has to be used when fishing within the joint management zone of the Community and Canada in the statistical zone.
TCNAR 0 + 1

EUROPEAN COMMUNITIES FISHING LOG FOR ICNAF 0 + 1

VESSEL NAME	CONTINENTAL LICENSE NUMBER CANADIAN LICENSE NUMBER
SIDE NUMBER	

DATE			NOON POSITION (GMT)					
DAY	MONTH	YEAR	LATITUDE		LONGITUDE		ICNAF DIVISION	

TIME IN M)	TIME TOW FINISHED (GMT)	HOURS FISHED	DEPTH (METERS)	POSITION AT START OF TOW			TYPE OF GEAR	MESH SIZE		CATCH BY SPECIES (KILOGRAMS - ROUND WEIGHT)						
				LATITUDE	LONGITUDE	ICNAF DIVISION				CCO (01)	REDFISH (10)	COOPERATED HALLIBUT (11B)	HALLIBUT (12A)	POLLOCK GLENORE (16)	CATFISH (18C)	CAPLIN (340)
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
									KEPT DISCARDED							
SHE-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

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 200 nautical-mile fishing zone off the coasts of the Member States of the Community which is covered by exclusive Community rules on fisheries;
- the joint management zone of the Community and Canada in the statistical zone ICNAF O + 1:

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species of fish in the hold;
- (c) when and where fishing is to commence.

1.2. On each occasion the vessel leaves:

- 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;
- the joint management zone of the Community and Canada in the statistical zone ICNAF O + 1 after a previous notice of leaving of at least 48 hours:

- (a) the information specified under point 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) the ICES division or ICNAF zone in which the catches were taken;
- (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the exclusive Community fishing zone or the joint management zone ICNAF O + 1 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 Community fishing zone;
- (g) the quantity (in kg) of discards specified by species since the previous transmission when fishing in the joint management zone ICNAF O + 1.

1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the fishing zone of the Member States:

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

- 1.4. (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 21877 COMEU) 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	OXP
Blåvand	OXB
Rønne	OYE
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Otan	GNE
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portshead	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Prins Christians Sund	OZI
Julianehøb	OXF
Godthøb	OXI
Holsteinsborg	OYS
Godhavn	OZM
Thorshavn	OXJ
Velferdsstasjon Faeringerham	22239
Bergen	LGN
Farsund	LGZ
Floro	LGL
Rogarland	LGQ
Tjøme	LGT
Alesund	LGA

Central Godthøb

4. Form of communications.

Transmission of the information specified under point 1 shall take the form of messages preceded by the words "Pêcheur Brussels" and the information elements shall be given in the following order:

- the code "Pêcheur Brussels";
- 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 exclusive Community zone or the joint management zone ICNAF O + 1: 'IN';
 - message - when leaving the exclusive Community zone or the joint management zone ICNAF O + 1: 'OUT';
 - weekly message: 'WKL';
- the geographical position;
- the ICES division or ICNAF zone 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 quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point 5 below when fishing in the joint management zone ICNAF O + 1;
- the ICES division or ICNAF zone 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:

- A: Deep-water prawn (*Pandalus borealis*),
- B: Hake (*Merluccius merluccius*),
- C: Greenland halibut (*Rheinhardtius hippoglossoides*),
- D: Cod (*Gadus morhua*),
- 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 (*Merlangius merlangus*),
- L: Herring (*Clupea harengus*),
- M: Sandeel (*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 encrasicolus*).

XIV-A-2

Agreed record of conclusions of fishery
consultations between the European Economic Community
and the Faroe Islands, Brussels, 27-28 February 1979

I. 1. A delegation of the Community headed by Mr. R. SIMONNET and a delegation representing the Faroe Islands headed by Mr. ATLI DAM as representative of the Home Government of the Faroe Islands met in Brussels on 27-28 February 1979 for consultations on mutual fisheries relations in 1979.

2. This meeting was a continuation of previous meetings in Brussels.

3. The consultations were based upon the principles laid down in the Framework Agreement on fisheries between the Community on the one hand and the Government of Denmark and the Home Government of the Faroe Islands on the other hand, signed on 15 March 1977.

II. The delegations agreed to recommend their respective authorities the following arrangements for 1979 :

1. Each party shall open the catch quotas indicated hereunder for the other in its respective fishery zone :

1.1. Quotas for Community vessels fishing in the Faroese zone

Species	ICES division	Quantity (tonnes)
Cod	V b	2.500
Haddock	V b	2.500
Saithe	V b	13.500
Redfish	V b	5.500
Blue Ling	V b	5.200
Ling	V b	1.300
Tusk	V b	500
Flatfish	V b	700
Blue whiting	V b	30.000
Other species	V b	600

1.2. Quotas for Faroese vessels fishing in the Community zone

Species	Fishing zones ICES division or ICNAF zone	Quantity (tonnes)
Ling	Vib	500 (1)
Tusk	Vib	500 (1)
Mackerel (eastern stock)	IV	10.000 (2)
(western stock)	IV (3), VIa (4)	30.000
Horse mackerel	IV, VIa (4)	6.000
Norway pout	IV, VIa (4)	22.500 (5) (6)
Sprat	IV, VIa (4)	15.000
Sandeel	IV	15.000 (5)
Blue Whiting	VIa (4), Vib, VII(7)	25.000
Other white fish (by catches only)	IV, VIa (4)	850
Herring	Skagerrak (8)	700
Northern deep water prawn (<i>pandalus borealis</i>)	ICNAF 0+1 (13)	3.600 (9) (10)
Greenland Halibut	ICNAF 0+1 (13)	100 (11)
	XIV	300
Redfish	ICNAF 0+1	300 (12)
	XIV	300

- (1) These quotas which are interchangeable shall be fished by long liners only
- (2) Of which no more than 1.000 T may be fished in the parts of ICES subarea IV situated either south of 60°N or East of 2°E
- (3) North of 60°N and West of 2°E
- (4) North of 56°30' N
- (5) Each of these quotas may be exceeded by a maximum of 2.500 T provided that the total catches of Norway pout, sandeel and sprat do not exceed 52.500
- (6) Of which maximum 6.000 T may be fished in ICES VIa north of 56°30'
- (7) West of 12° W
- (8) 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
- (9) South of 68° N
- (10) In addition to this quota, a quota of 536 T may be taken West of the median line (Canadian zone), making the total quota according to the arrangements for joint management in ICNAF zone 0+1 4.136 T
- (11) In addition to this quota a quota of 1.500 T may be taken West of the median line (Canadian zone) making the total quota according to the arrangements for joint management in ICNAF zone 0+1 1.600 T
- (12) In addition the Faroese authorities will seek the permission from the Canadian authorities to fish 300 T West of the median line (Canadian zone)
- (13) The quota in this area is subject to approval by Canada. Faroese fishing of this quota in the Canadian part of this area will be subject to licensing by the Canadian authorities


- 2.1. If herring fishery in ICES divisions IV and VIa should be reopened in 1979, the parties shall consult.
- 2.2. 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.
3. Fishing for herring by Faroese vessels in Skagerrak is subject to the following provisions :
 - a) Directed fishing for herring is prohibited from 1 January to 31 March 1979 and from 1 October to 31 December 1979;
 - b) Directed fishing for herring for purposes other than human consumption is prohibited;
 - c) The use of trawl and purse seine is prohibited from Saturday midnight to Sunday midnight.

III. Licences

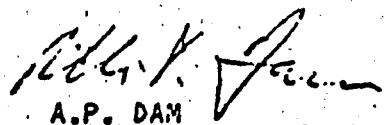
The parties agreed to continue to apply the licensing regime in force in 1978 preliminarily for the month of March 1979.

The parties shall consult before 15 March 1979 with a view to establishing a licensing regime for each others' vessels for the whole of 1979.

Brussels, 1st March 1979



R. SIMONNET



A.P. DAM

