



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.12.1996
COM(96) 685 final

96/ 0310 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

**amending Regulation (EC) N°3069/95 establishing a European Community Observer
Scheme applicable to Community fishing vessels operating in the Regulatory Area of the
Northwest Atlantic Fisheries Organization (NAFO)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

At its 18th Annual General meeting, the NAFO Fisheries Commission adopted and the European Commission agreed to the introduction of new measures modifying the observer scheme applicable to fishing vessels operating in the Regulatory Area of the NAFO. Among the measures agreed are :

- the proposal requesting observers assigned to the observer scheme to collect data on discards and retained undersized fish following a detailed procedure;
- the proposal requesting masters of the fishing vessels operating in the NAFO Regulatory Area, to provide to observers access to the retained catch and catch which is intended to be discard.

The introduction of these measures shall assist the observers to fulfill their duties.

The adoption of this proposal amending the Council Regulation (EC) N°3069/95 will not have any financial implication for the European Community.

PROPOSAL FOR COUNCIL REGULATION (EC) N°.../96 OF

amending Regulation (EC) N°3069/95 establishing a European Community Observer Scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organization (NAFO).

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Whereas Council Regulation (EC) N°3069/95³ establishing an European Community Observer Scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organization (NAFO), adopted provisions for the assignment and the duties of the observers as well as for the obligations of the Masters of the Community fishing vessels engaged in or about to engage in fishing activities in the NAFO Regulatory Area;

Whereas the NAFO Fisheries Commission adopted a recommendation on 13 September 1996 to amend the Observer Scheme;

Whereas, pursuant to Article XI of the NAFO Convention, the recommendation has become binding upon the Community as from 13 November 1996;

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3 OJ N° L329, of 30.12.1995, p.5

Whereas it is therefore necessary to amend Regulation (EC) N°3069/95, in order to oblige the masters of Community fishing vessels and the observers designated to the Scheme to comply with the new measures,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex I to Regulation (EC) N°3069/95 is hereby amended as follows :

1. To the point 2-(e) the following text is added :

“In particular, the observers shall collect the data on discards and retained undersized fish following, whenever circumstances permit, the following sampling scheme :

i) for every haul estimates of the total catch by species in terms of weight and in addition estimates of discards by species in terms of weight should be recorded,

ii) every 10th haul should be sampled in detail by species, providing in addition to weights of the sample measured also numbers at length representing the part of the catch to be landed and the part of the catch discarded,

iii) whenever the fishing site is changed by a distance of more than 5 nm the cycle described in i). and ii) starts again.”

2. To the point 3(i), the last sentence is replaced by the following text :

“The master of the vessel shall permit the observer to have access to the vessel’s documents (logbook, capacity plan, production logbook or stowage plan) and to different parts of the vessel, including, as required, to the retained catch and catch which is intended to be discarded, in order to facilitate the discharge of the observer’s duties”.

Article 2

This Regulation shall enter into force on the seventh day following that 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

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