

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 200 final

Brussels, 5 April 1979

Amendment to the
proposal for a
COUNCIL REGULATION (EEC)

on technical measures for the conservation of fishery resources

(submitted to the Council by the Commission in accordance with
Article 149, indent 2 of the EEC Treaty)

COM(79) 200 final

EXPLANATORY MEMORANDUM

In its Report of May 1978 as modified by its Report of October 1978, the Advisory Committee for Fisheries Management (ACFM) of the International Council for the Exploration of the Sea (ICES) has recommended to increase the minimum mesh size in sub-areas IV and Division IIIa to 90 mm, whereas in the remainder of Region 2, but excluding Division VIIa, mesh sizes should be increased to 80 mm only.

In order to take account of this scientific advice and taking account of the provisions of Article 2 paragraph 3 of the proposal for a Council Regulation laying down technical measures for the conservation of fish resources (1) according to which the Council undertakes to reexamine mesh sizes in the light of the relevant available scientific information, the Commission submits the present proposal for a Regulation amending the above-mentioned proposal.

On the basis of ICES-advice, it provides for an increase to 75 mm for single twine and to 80 mm for double twine of the authorised mesh size in the areas for which such a recommendation has not yet been made, that is that part of Region 2 lying outside the North Sea. However, as far as subdivision VIIa, the Irish Sea, is concerned, fishing may be carried out with the present mesh size, i.e. 70 mm for single twine and 75 mm for double twine. As for subdivision IIIa (Skagerrak and Kattegat) the Commission submitted to the Council on 16 February 1979 a proposal based on the outcome of consultations held with the non-member countries bordering on the area in accordance with the procedures established in the fisheries agreements negotiated or signed with the latter.

The same reasons which led the Commission to propose to stagger the introduction of an increase in mesh size in the North Sea to the level recommended by ICES, that is, the serious economic effect of this measure for the fishermen concerned, lead it to propose a similar staggering of the application of the increased mesh size to be used in maritime areas outside the North Sea. However, in order to approach the management objectives recommended by ICES for all areas as soon as possible, the Commission proposes that the date of application for the changes to be introduced should be brought forward to 1 September 1980. Technical adjustments correcting earlier provisions have also been made regarding fishing for nephrops.

(1) COM(78) 635 of 16.11.78, modified by COM(79) 164 of 23.3.79 and COM(79)80 of 26.2.79.

Article 2

1. It shall be prohibited for any vessel to use or to haul any trawl, danish seine, or similar net, having anywhere meshes of a smaller size than those laid down in Annex I for the region and the type of net concerned.

These provisions shall be applicable from 1 September 1980 in Region 2 except in ICES subdivisions VIIa and IIIa.

2. Meshes used in the North Sea sector of Region 2 may be of the following size until 31 August 1980:

Any part of any net with single twine	75 mm
Any part of any net with double twine	80 mm

Meshes used in the rest of Region 2 except for ICES subdivisions VIIa and IIIa may be of the following size until 31 August 1980:

Any part of any net with single twine	70 mm
Any part of any net with double twine	75 mm.

Article 10

a) Region_2

Delete the addition to the first indent :

"and of 45 mm in the Skagerrak and Kattegat"

New version

The following measures are applicable to vessels fishing for nephrops until the introduction of the provisions of Article 9.

a) Skagerrak and Kattegat

Meshes used with effect from 1 July 1979 in the Skagerrak and Kattegat must be of a minimal size of 45 mm.

aa) Rest of Region 2

Until 31 August 1979 :

- Meshes used must be of a minimal size of 55 to 60 mm.

- The minimum size shall be fixed at 70 mm.

- The authorized percentage for by-catches of the species listed in Annex.6 shall be fixed at 40 %.

AMEND THE FOLLOWING IN ANNEX I

Minimum mesh size referred to in article 2

REGION	TYPE OF NET	MINIMUM MESH SIZE (in mm)
1	ALL	120
2 North Sea (a)	Any part of any net made of single twine	80
	Any part of any net made of double twine	90
2 Outside North Sea (a) Skagerrak and Kattegat and Irish Sea (ICES VIIa)	Any part of any net made of single twine	75
	Any part of any net made of double twine	80
2 Skagerrak and Kattegat	Seine net, or such part of any trawl net as is made of single twine and contains no manila or sisal	70
	Such part of any trawl net as is made of double twine and contains no manila or sisal	75
	Such part of any trawl net as is made of manila or sisal	80
2 Irish Sea (ICES VIIa)	Any part of any net made of single twine	70
	Any part of any net made of double twine	75
3	Any part of any net made of single twine	60
	Any part of any net made of double twine	65
4	ALL	45
5	p.m.	p.m.

(a) For the purpose of the Regulation, the North Sea, shall be regarded as being ICES sub-area IV and the adjoining part of Division IIa insofar as they are subject to the sovereignty or jurisdiction of a Member State.