

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 205 final

Brussels, 28th April 1981

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 Sweden

(presented by the Commission to the Council)

EXPLANATORY MEMORANDUM

In accordance with the framework agreement on fisheries between the European Economic Community and Sweden, the two parties held consultations on their fisheries relations in 1981. These consultations resulted in an agreement on the subject of each party's fishing rights in 1981 in the other's waters and on the need to fix total allowable catches (TACs) for certain joint stocks in the Kattegat and their allocation between the parties. This agreement, in the form of an exchange of letters, was initialled by the heads of delegation.

Pending the approval by the Council of this agreement the Commission proposed the Council to adopt a Regulation establishing an interim regime allowing Swedish vessels to fish in the Community fishery zone in accordance with the results of the consultations. However, the Council did not approve the draft regulation. Consequently vessels of each party are not allowed to fish in the fisheries zone of the other except in the Kattegat and Skagerrak.

Pending the outcome of the next Fisheries Council the Swedish authorities requested the authorization to start fishing for ling in Community waters as soon as possible since the fishing season for that species is limited to the period April-July.

In order not to jeopardize the possibility of an overall arrangement for 1981 with Sweden which is clearly in the interest of the Community, the Council is invited to adopt the regulation proposed hereby allowing two Swedish vessels to fish 200 t of Ling in Community waters.

PROPOSAL FOR
COUNCIL REGULATION (EEC) No.

of

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

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 the Community and Sweden have held consultations according to
the procedure provided for by the fisheries agreement between the
European Economic Community and the Kingdom of Sweden (1), and particu-
larly articles 2 and 6, concerning mutual fishing rights in 1981 and
the management of joint biological resources ;

Whereas, following these consultations, an Agreement, in the form of
an exchange of letters, establishing a fishing arrangement between the
Community and Sweden for 1981, was initialled on 20 March 1981 ;

Whereas the Council has not yet approved the results of these
consultations ;

Whereas in the absence of reciprocal fisheries relations the Swedish
authorities requested authorization to start fishing immediately the
quota of Ling foreseen in the initialled agreement taking into account
the short duration of the fishing season for this species ;

(1) O.J..n° L 226, 29.8.1980, p. 1

Whereas it is in the Community's interest to authorize such fishing in order not to prejudice a possible overall fisheries arrangement for 1981 with Sweden ;

Whereas it is necessary to adopt the measures authorizing such fishing on the basis of Article 103 of the Treaty,

HAS ADOPTED THIS REGULATION :

Article 1

1. Until 31 July 1981, vessels flying the flag of Sweden shall be authorized to fish in the fisheries zones of Member States seawards of 12 nautical miles from the baselines from which territorial waters are measured, only for ling and only within ICES subarea IV and ICES division VIa, north of 56°30'N.

2. The total volume of catches may not exceed 200 tonnes.

3. Only long-liners shall be authorized to fish for ling.

Article 2

1. Vessels fishing under the quota 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 log-book in which the information specified in Annex I shall be entered.

3. Vessels referred to in paragraph 1 shall transmit to the Commission, according to the rules set out in Annex II, the information specified in that Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides and on each side of the vessel's superstructure in the most clearly visible position.

Article 3

1. Fishing referred to in Article 1 shall be permitted only where a licence issued by the Commission on behalf of the Community at the request of the Swedish authorities is held on board and where the conditions set out in the licence are observed.

2. The number of licences which may be issued shall not exceed 2.

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 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.

date of the surrender of the licence to the Commission.

Article 4

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

Article 5

Where an infringement has been 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.

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

5. Licences may be cancelled with a view to issuing new licences. Cancellation shall take effect from the

Article 6

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

It shall apply until 31 July 1981.

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

Done at

For the Council
The President

ANNEX I

The following details are to be entered in the logbook after each haul:

1. the quantity (in kg) of each species caught;
2. the date and the time of the haul;
3. the geographical position in which the catches were made;
4. the fishing method used.

ANNEX II

1. The information to be transmitted to the Commission and the timetable for its transmission is 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 Community rules on fisheries:

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

If the fishing operation requires more than one entry into the Community fisheries zone on any given day, a single communication on first entering the zone will be sufficient.

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 Community rules on fisheries:

- (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 in which the catches were taken;
- (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the Community fishing zone 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.

If the fishing operation requires more than one exit from the Community fisheries zone on any given day, a single communication on the last exit will be sufficient.

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 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 24189 FISEU-B) 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

Skagen
Blåvand
Norddeich

Call sign of radio station

OXI
OXB
DAF DAK
DAHDAL
DAIDAM
DAJDAN

Seheveningen
 Oostende
 North Foreland
 Humber
 Colchester
 Wick
 Oban
 Portpatrick
 Anglesey
 Ilfracombe
 Niton
 Stonehaven
 Portshead

Land's End
 Valença
 Malin Head
 Boflögne
 Brest
 Saint-Nazaire
 Bordeaux-Arcachon
 Prins Christians Sund
 Julanahab
 Godthab
 Hølstensborg
 Godhavn
 Stockholm
 Göteborg
 Rønne

PCI
 OST
 GNF
 GKZ
 GCC
 GKR
 GNE
 GPK
 GLV
 GIL
 GNI
 GND
 GKA
 GKB
 GKC
 GLD
 EJK
 FJM
 FFB
 FFU
 FFO
 FFC
 OZN
 OXF
 OXI
 OYS
 OZM
 SOJ
 SOG
 OYE

} Central Godthab

4. Form of communications:

The information specified under point 1 shall contain the following elements, which shall be given in the following order:

- 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 Community zone: 'IN',
 - message — when leaving the Community zone: 'OUT',
 - weekly message: 'WKL';
- the geographical position;
- the ICES division 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 caught since the previous transmission using the code mentioned in point 5 below;
- the ICES division 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 :

Q. Ling (*Molva molva*)