

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a
COUNCIL REGULATION (EEC)

Laying down certain interim measures for the conservation
and management of fishery resources applicable
to vessels registered in the Faroe Islands

HILLMAN

(submitted to the Council by the Commission)

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COMMISSION

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EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and the Faroe Islands about their reciprocal fishing rights in 1983 having not been concluded and thus it is impossible to adopt before 31 December 1982 final arrangements for 1983 concerning the fishing of Faroese vessels in Community waters.

In order to avoid an interruption of the reciprocal fishing from 1 January 1983 it is necessary for the Community to adopt interim arrangements for fishing by Faroese vessels in Community waters for the month of January 1983. For this reason the Commission proposes that the Council adopt a Regulation establishing an interim regime permitting Faroese vessels to fish in the Community fishing zone during the above-mentioned period.

The Commission proposes that the Council adopt the Regulation, a draft of which is attached, before 31 December 1982.

COUNCIL REGULATION (EEC)

laying down 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,

Having regard to the Fisheries Agreement between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of the Faroe Islands, on the other hand⁽¹⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas it was not possible to adopt before 31 December 1982 definitive rules for fishing by Faroese vessels in the Community fisheries zone in 1983,

Whereas in order to avoid an interruption of reciprocal fishing by vessels of the two parties in the fisheries zone of the other, it is necessary that the Community adopt immediately interim rules authorizing fishing by Faroese vessels in the Community fisheries zone;

Whereas, consequently, this measure should be adopted on a temporary basis, subject to its later inclusion in the definitive rules to be adopted under Article 43 of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The only fishing activities by vessels registered in the Faroe Islands in the 200 nautical mile 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° N which shall be authorized until 31 January 1983 are the species mentioned in Annex I within the geographical and quantitative limits laid down therein and in

⁽¹⁾ OJ No L 224, 29. 8. 1980, p. 11.

accordance with the conditions laid down in this Regulation.

2. Fishing authorized under paragraph 1 shall be limited except in Skagerrak to the parts of the 200 nautical mile fishing zone lying seawards of 12 nautical miles from the base-lines from which the territorial seas of Member States are measured.

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 log-book in which the information set out in Annex II is to be entered.

3. Vessels referred to in paragraph 1, excluding those fishing in ICES division III a) 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 vessel on both sides.

Article 3

1. Fishing within the waters referred to in Article 1, except in Skagerrak, under the quotas established in the said Article 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) 14 for fishing mackerel in ICES division VI a) (north of 56° 30' N) and ICES divisions VII e), f) and h), sprat in ICES sub-area IV and division VI a) (north of 56° 30' N), horse mackerel in ICES sub-area IV and division VI a) (north of 56° 30' N), VII e), f), h) and herring in ICES division VI a) (north of 56° 30' N);

- (b) 12 for fishing Norway pout in ICES sub-area IV and division VI a) (north of 56° 30' N) and sandeel in ICES sub-area IV;
- (c) 11 for fishing northern deep-water prawn (*Pandalus borealis*) in ICES sub-area XIV and in NAFO sub-area 1 (south of 68° N). However, the total number of vessels allowed to fish simultaneously shall be limited to eight in ICES sub-area XIV and to seven in NAFO sub-area 1;
- (d) 20 for fishing ling and tusk in ICES division VI b). However, the total number of vessels allowed to fish simultaneously shall be limited to 10;
- (e) 12 for fishing blue ling in ICES divisions VI a) (north of 56° 30' N) and VI b);
- (f) six for fishing Greenland halibut in NAFO sub-area 1 and ICES sub-area XIV;
- (g) 14 for fishing blue whiting in ICES sub-area VII (west of 12° W) and ICES divisions VI a) north of 56° 30' N) and VI b);
- (h) three for fishing porbeagle in the whole Community zone with the exception of NAFO 3PS;
- (i) six for fishing redfish in ICES sub-area XIV;

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. Should there be an infraction of the obligations fixed by this Regulation the licence shall be withdrawn.

6. No licence shall be issued for a maximum period of 12 months for vessels in respect of which the obligations laid down in this Regulation have not been observed.

7. Licences issued in pursuance of Regulation (EEC) No 1042/82⁽¹⁾ and valid on 31 December 1982, shall remain valid until 31 January 1983 at the request by the Faroese authorities.

Article 4

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

⁽¹⁾ OJ No L 120, 1.5.1982, p. 18

- (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.

Article 5

Fishing for tusk, ling and porbeagle within the limits of the quotas referred to in Article 1 shall be allowed only if the method commonly known as 'long-lining' is used.

Article 6

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

Article 7

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 8

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 January 1983.

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if so

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

Species	Fishing zones ICES sub-area and division or NAFO sub-area	Quantity (tonnes)
Ling	VI b)	45 (1)
Tusk	VI b)	45 (1)
Blue ling	VI a) (?), VI b)	80
Mackerel	IV VI a) (?), VII e), f), h)	-- 2.500
Horse mackerel	IV, VI a) (?), VII e), f), h)	1.500
Norway pout	IV, VI a) (?)	4.000 (3) (4)
Sprat	IV, VI a) (?)	15.000
Sandeel	IV	1.250 (3)
Blue whiting	VI a) (?), VI b), VII (?)	2.000
Other white fish (by-catches only)	IV, VI a) (?)	65
Herring	III a) N (Skagerrak) (?) VI a) (?)	-- 150
Northern deepwater prawn (<i>Pandalus borealis</i>)	NAFO 1 (?) XIV	100 140 (8)
Greenland halibut	NAFO 1 XIV	15 15
Redfish	XIV	45
Porbeagle	Entire Community zone excluding NAFO 3 PS	25 (9)

(1) These quotas are interchangeable.

(2) North of 56° 30' N.

(3) Each of these quotas may be exceeded by a maximum of 500 tonnes provided that the total catches of Norway pout, sandeel and sprat do not exceed 20250 tonnes

(4) Of which maximum 1400 tonnes may be fished in ICES VI a) north of 56° 30' N subject to the provision on request by the EEC of details of the quantity and composition of any by-catch taken.

(5) West of 12° W.

(6) Limited in the west by a line drawn from the lighthouse of Hanstholm to 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.

(7) South of 68° N.

(8) Subject to specific conditions which will be determined after consultations between the Parties.

(9) May only be fished by long liners.

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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, including by-catches;
 - 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;
 - 1.5. all radio messages sent in conformity with Annex III.

2. The following log-book has to be used when fishing within NAFO sub-area 1 and ICES sub-area XIV.

EUROPEAN COMMUNITIES' LOG-BOOK FOR NAFO SUB-AREA 1 AND ICES SUB-AREA XIV

Vessel name					Date			Noon position (GMT)					
Side No					Communities' licence No			Day	Month	Year	Latitude	Longitude	NAFO division 09
											N	W	

Time tow began (GMT)	Time tow finished (GMT)	Hours fished	Depth (metres)	Position at start of tow			Type of gear	Number of nets or lines used	Mesh size	Catch by species (kilograms — round weight)										
				Latitude	Longitude	NAFO division				Cod (101)	Redfish (103)	Greenland halibut (118)	Halibut (120)	Round-nose grenadier (168)	Carfish (188)	Capelin (340)	Prawn (639)			
										Kept										
										Discarded										
										Kept										
										Discarded										
										Kept										
										Discarded										
										Kept										
										Discarded										
										Kept										
										Discarded										
										Kept										
										Discarded										
							Sub-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

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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 :
 - 1.1.1. the 200 nautical mile fishing zone off the coasts of the Member States of the Community, and falling within the jurisdiction of those Member States as regards fisheries, or
 - 1.1.2. NAFO sub-area 1 as defined by the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries falling under the jurisdiction of Denmark :
 - (a) the information specified under point 1.5 below ;
 - (b) the quantity (in kilograms) of each species of fish in the hold ;
 - (c) the date and NAFO sub-area or ICES sub-area or division within which the captain intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1.1 and 1.1.2 on a given day one communication shall suffice on first entry.
 - 1.2. On each occasion the vessel leaves :
 - 1.2.1. the zone referred to under 1.1.1 :
 - (a) the information specified under point 1.5 below ;
 - (b) the quantity (in kilograms) of each species of fish in the hold ;
 - (c) the quantity (in kilograms) of each species caught since the previous transmission ;
 - (d) the ICES sub-area or division or NAFO sub-area in which the catches were taken ;
 - (e) the quantity (in kilograms) of each species transferred to other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made ;
 - (f) the quantity (in kilograms) of each species landed in a port of the Community since the vessel entered the zone ;
 - 1.2.2. the zone referred to under 1.1.2 :

information referred to under (a), (b), (c), (d), (e), (f) ;

 - (g) the quantity (in kilograms) of discards specified by species since the previous transmission.
 - 1.3. A notice of leaving at least 48 hours prior to the vessel's scheduled exit from the zone referred to under 1.1.2 and from ICES sub-area XIV.
 - 1.4. At three day intervals commencing on the third day after the vessel first enters the zone referred to under 1.1.1, when fishing for herring, and at weekly intervals commencing on the seventh day after the vessel first enters the zones referred to under 1.1.1 and 1.1.2, when fishing for all species other than herring :
 - (a) the information specified under point 1.5 below ;
 - (b) the quantity (in kilograms) of each species caught since the previous transmission ;
 - (c) the ICES sub-area or division or NAFO sub-area in which the catches were made.
 - 1.5.
 - (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 24 189 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	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
Oban	GNE
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	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	OZN
Angmagssalik	OZL
Julianehåb	OXF
Godthåb	OXI
Holsteinsborg	OYS
Godhavn	OZM
Thorshavn	OXJ
Velferdsstasjon Faeringerhamm	22239
Bergen	LGN
Farsund	LGZ
Flørø	LGL
Rogaland	LGQ
Tjøme	LGT
Alesund	LGA

Central Godthåb

4. Form of communications

The information specified under point 1 concerning the fishing operations in the zones referred to under 1.1.1 and 1.1.2 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 one of the zones referred to under 1.1.1 and 1.1.2: 'IN',
 - message — when leaving one of the zones referred to under 1.1.1 and 1.1.2: 'OUT',
 - message — when moving from one ICES division to another: 'ICES',
 - weekly message: 'WKL',
 - notice of departure from the zone referred to under 1.1.2: 'NL',

- the geographical position,
- the ICES or NAFO sub-area 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,
- the ICES or NAFO sub-area 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,
- the name of the master,
- the quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point 5 only in the case of fisheries operations in the zones referred to under 1.1.2.

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 (*Reinhardtius hippoglossoides*),
- D. Cod (*Gadus morrhua*),
- 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 (*Merlangus merlangus*),
- L. Herring (*Clupea harengus*),
- M. Sand-eel (*Ammodytes* sp),
- N. Sprat (*Clupea sprattus*),
- O. Plaice (*Pleuronectes platessa*),
- P. Norway pout (*Trisopterus esmarkii*),
- Q. Ling (*Molva molva*),
- R. Other,
- S. Shrimp (*Pandalidae*),
- T. Anchovy (*Engraulis encrassicholus*),
- U. Redfish (*Sebastes* sp),
- V. American plaice (*Hypoglossoides platessoides*),
- W. Squid (*Illex*),
- X. Yellowtail (*Limanda ferruginea*)
- Y. Blue whiting (*Gadus poutassou*),
- Z. Tuna (*Thunnidae*),
- AA. Blue ling (*Molva dypterygia*),
- BB. Tusk (*Brosme brosme*),
- CC. Dogfish (*Scyliorhinus retifer*)
- DD. Basking shark (*Cetorhina*)
- EE. Porbeagle (*Lamna nasus*)
- FF. Squid loligo (*Loligo vulgaris*)
- GG. Ray's bream (*Brama brama*)
- HH. Sardine (*Sardina pilchardus*)