



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.12.1996
COM(96) 668 final

Proposal for a

COUNCIL REGULATION (EC)

laying down for 1997 certain conservation and management measures for fishery resources in the Convention Area as defined in the Convention on Future Multilateral Co-operation in the North-East Atlantic

(presented by the Commission)

EXPLANATORY MEMORANDUM

At its Annual Meeting from 20 to 22 November 1996, the North-East Atlantic Fisheries Commission (NEAFC) has adopted a recommendation of conservation and management measures for oceanic-type redfish for 1997. That recommendation was adopted by a qualified majority of the Contracting Parties of NEAFC, including the Community.

The recommended measures consist of a total allowable catch (TAC) of 153,000 tonnes which covers oceanic-type redfish in its entire area of distribution and which is allocated among the Contracting Parties concerned. Within this TAC, a share of 23,000 tonnes has become available to the Community. Furthermore, Denmark (on behalf of the Faroe Islands and Greenland) committed itself to transfer to the Community a further 4,000 tonnes. This results in a total 27,000 tonnes of oceanic-type redfish available to the Community in 1997.

Furthermore, NEAFC adopted a recommendation introducing provisional minimum notification and reporting requirements for both oceanic-type redfish and Norwegian spring-spawning herring (Atlanto-Scandian herring) for 1997.

As these recommendations have been adopted with the full support of the Community, they have to be implemented by the Community.

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laying down for 1997 certain conservation and management measures for fishery resources in the Convention Area as defined in the Convention on Future Multilateral Co-operation in the North-East Atlantic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No. 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8 (4) thereof,

Having regard to Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits ⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Community has signed the United Nations Convention on the Law of the Sea, which contains principles and rules relating to the conservation and management of the living resources within the exclusive economic zones of the coastal States and on the high seas;

Whereas the Convention on Multilateral Co-operation in the North-East Atlantic, hereafter referred to as the "NEAFC Convention", was approved by the Council in Decision 81/608/EEC of 13 July 1981 ⁽³⁾ and entered into force on 17 March 1982;

Whereas the NEAFC Convention establishes a suitable framework for multilateral co-operation in the rational conservation and the optimum utilization of the fishery resources of the Convention Area as defined therein;

Whereas the North-East Atlantic Fisheries Commission adopted on 22 November 1996 recommendations limiting the catches of redfish in the Convention Area and introducing minimum notification and reporting requirements for catches of redfish and Norwegian spring-spawning (Atlanto-Scandian herring) for 1997; whereas it is appropriate that these recommendations be implemented by the Community;

⁽¹⁾ O.J. No. L 389, 31.12.1992, p. 1

⁽²⁾ O.J. No L 171, 6.7.1994, p.1

⁽³⁾ O.J. No. L 227, 12.8.1981, p. 21

Whereas, in accordance with Article 8 of Regulation (EEC) No. 3760/92, it falls to the Council to establish for each fishery or group of fisheries the total allowable catch (TAC) and the share available to the Community and to allocate the share available to the Community among the Member States;

Whereas in order to ensure full compliance with applicable conservation and management measures while supplementing the control measures provided for in Council Regulation (EEC) No 2847/93 ⁽⁴⁾, certain specific control measures are to be defined concerning the authorisation of fishing vessels, their notification and the declaration of catches;

Whereas the relevant TAC and quotas have been established on an annual basis and may not be exceeded and, therefore, they may not be subject to the provisions of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Catches in 1997 of redfish by Community fishing vessels shall be limited to the quotas set out in the Annex.

Article 2

1. Member States shall issue special fishing permits for their vessels engaging in the fishery of oceanic-type redfish and shall notify these permits to the Commission prior to the commencement of the vessel's activity, in accordance with Council Regulation (EC) No 1627/94. By way of derogation from Article 7 of that regulation, permits will only become valid if the Commission has not objected within five working days following the notification.
2. Member States shall report to the Commission every Wednesday before 12 noon for the week ending at 12 midnight on the previous Sunday both the quantities of oceanic-type redfish caught by their vessels as well as the number of their vessels engaged in this fishery.

⁽⁴⁾ OJ No L 261, 20.10.1993, p. 1

⁽⁵⁾ OJ No L 115, 9.5.1996, p. 3

Article 3

The provisions of Article 2 shall apply *mutatis mutandis* to herring (*Clupea harengus*) which is caught in ICES zones I and II (Norwegian spring-spawning herring - *Atlanto-Scandian herring*).

Article 4

Fishing quotas set out in the Annex shall not be subject to the conditions laid down in Articles 2, 3 and 5 (2) of Council Regulation (EC) No 847/96.

Article 5

This regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 1996

For the Council
The President

ANNEX

Stock		Member State	1996 quota
Species	Geographical area		
Redfish (<i>Sebastes mentella</i> , oceanic-type) ⁽¹⁾	ICES XIV/XII/V ⁽²⁾	Austria	
		Belgium	
		Denmark	
		Finland	
		Germany	18,220
		Greece	
		France	1,700
		Ireland	4
		Italy	
		Luxembourg	
		the Netherlands	8
		Portugal	3,824
		Spain	3,200
Sweden			
the United Kingdom	44		
		EC total	27,000 ⁽³⁾

⁽¹⁾ Fished with pelagic trawls, excluding discards but including the fish above as well as below the acoustic layer

⁽²⁾ Community fishing waters and areas beyond fisheries jurisdiction of the other coastal States

⁽³⁾ Includes a transfer of 4,000 tonnes from Denmark (on behalf of the Faroe Islands and Greenland)

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6