



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.09.1997
COM(97) 458 final

Proposal for a

COUNCIL REGULATION (EC)

**amending, for the fifth time, Regulation (EC) No. 390/97
fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for
1997 and certain conditions under which they may be fished**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The objective of the present proposal is to fix fishing possibilities for certain stocks of fish and to allocate these equitably to Member States. The fixing and the sharing of possibilities for fishing falls exclusively within the competence of the Community and arises from obligations set out in Article 8(4) of Regulation (EEC) n° 3760/92 of the Council of 20 December 1992¹, establishing a Community regime for fishing and aquaculture.

Within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Norway, the TAC and the Community share for North Sea plaice have been increased.

This proposal intends to address these matters by modifying Council Regulation (EC) N° 390/97².

1. O.J. No L389, 31.12.1992, p.1

2. O.J. N° L66, 6.3.1997, p.1, Regulation as amended by Regulation (EC) N°xxxx/97 (OJ N° Lxxx, xxxxxx, p. xx)

**Proposal for a
Council Regulation (EC) No 197 of 1997
amending, for the fifth time, Regulation (EC) No. 390/97
fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for
1997 and certain conditions under which they may be fished**

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 aquaculture¹ as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas under the terms of Article 8 (4) of Regulation (EEC) No. 3760/92 it is incumbent upon the Council to establish the total allowable catches (TACs) by fishery or group of fisheries;

Whereas Regulation (EC) No. 390/97² fixes, for certain fish stocks and groups of fish stocks, the TACs for 1997 and certain conditions under which they may be fished;

Whereas, within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Norway, the TAC and the Community share for North Sea plaice have been increased;

Whereas Council Regulation (EC) No. 390/97 should therefore be amended accordingly,

¹ O.J. No L 389, of 31.12.1992, p.1

² O.J. N° L66, 6.3.1997, p.1, Regulation as amended by Regulation (EC) N°xxxx/97 (OJ N° Lxxx, xxxxxxxxxxx, p. x)

HAS ADOPTED THIS REGULATION :

Article 1

The annex to this Regulation shall replace the corresponding elements of the Annex to Regulation (EC) No 390/97.

Article 2

This Regulation shall enter into force on the 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

Annex

Species:	Plaice <i>Pleuronectes platessa</i>	Zone: IIa (1), IV
België / Belgique	5360	(1) Waters of the Community
Danmark	17430	(2) Of which no more than 40000 t may be fished in waters under the sovereignty or jurisdiction of Norway.
Deutschland	5030	
Ellada		
España		
France	1010	
Ireland		
Italia		
Luxembourg		
Nederland	33500	
Osterreich		
Portugal		
Suomi/Finland		
Sverige		
United Kingdom	24800	
EC	87130 (2)	
TAC	91000	

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