COMMISSION OF THE EUROPEAN COMMUNITIES



Brussels, 11.03.1998 COM(1998) 144 final

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EC) No.45/98 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 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) No 3760/92 of the Council of 20 December 1992¹, establishing a Community regime for fishing and aquaculture.

According to scientific evidence, a number of fish stocks in the North Sea, which at present constitute an important by-catch in traditional fisheries, could be in the near future subject to an increased exploitation which may put them in biological risk. It would be therefore desirable to set limits to their catch in order that, without being necessarily restrictive in the short term, they would prevent an uncontrolled expansion of exploitation rates.

The allocation of these catch limits must, in accordance with the second sub-paragraph of Article 8(4) of Regulation (EEC) No 3760/92, ensure relative stability of fishing activities. This can be approached by setting Member States' fish quotas for 1998 as the highest catch observed during the last five-year period.

The Commission had already presented a similar proposal to the Council in 1997^2 in the framework of the general decisions on TACs for 1998. However, the Council postponed its decision in order to allow a revision of catch statistics. Accordingly, the present proposal replaces the former by updating the relevant catch statistics on the basis of Member States' catch declarations.

This proposal intends to address these matters by modifying Council Regulation (EC) $N^{\circ} 45/98^{3}$.

COM(97)669 final

O.J. No L12, 19.1.1998, p. 1

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

Proposal for a Council Regulation (EC) No /98 of 1998 amending Regulation (EC) No.45/98 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 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. 3760/92¹ of 20 December 1992 establishing a Community system for fisheries and aquaculture 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 Regulation (EC) No. $45/98^2$ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1998 and certain conditions under which they may be fished;

Whereas it is desirable to set new TACs for 1998 in order to limit the catches of a number of additional fish stocks or group of fish stocks in the North Sea; whereas these TACs should be allocated among Member States in accordance with the second sub-paragraph of Article 8(4) of Regulation (EEC) No 3760/92;

Whereas Council Regulation (EC) No. 45/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION :

1

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

² O.J. No L12, 19.1.1998, p.1

Article 1

The tables in annexes I and II to this Regulation shall be inserted, respectively, in Annexes I and III to Regulation (EC) No 45/98.

Article 2

This Regulation shall enter into force on the third 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 I, p. 1

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Annex I, p. 2

		Zone: IIa(1), North Sea				
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			Community waters			
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Annex I, p. 3

Species:	Dab (2)	Zone:	lla (1), North Sea (1)	
-	Limanda limanda			
België / Belgique	760	(1)	Community waters	
Danmark	2860	(2)	including flounder (Platichthys flasus)	
Deutschland	4300			
Ellada		1		
España				
France	290	1.		
Ireland				
Italia				
Luxembourg				
Nederland	17380			
Osterreich	17500			
Portugal				
Suomi/Finland	0	{		
Sverige	0			
United Kingdom	2410			
EC	28000			
TAC	28000			
Species:	Lemon sole (2)	Zone:	: Ila (1), North Sea (1)	<u></u>
-	Microstomus kitt	Zone:	: Ila (1), North Sea (1)	
-	Microstomus kitt		: Ila (1), North Sea (1) Community waters	
Species: België / Belgique Danmark	Microstomus kitt	(1)		······································
België / Belgique	Microstomus kitt 600		Community waters	
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België / Belgique Danmark Deutschland Ellada España France Ireland Italia Luxembourg Nederland Osterreich Portugal Suomi/Finland Sverige United Kingdom	Microstomus kitt 600 1640 210 450 1370 20 6710 11000	(1)	Community waters	

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	Stocks	Type of TAC	Articles 3 and 4 of Regulation	Deductions of Article 5(2)	
	Species	Area	A=analytical	(EC) No 847/96 applicable	of Regulation (EC) No 847/96
Common name	Latin name	1	P= precautionary	(1/0 = yes/no)	applicable (1/0 = yes/no)
Megrims	Lepidorhombus spp.	Ila(1), North Sea (1)	P	1	0
Anglerfish	Lophius spp	Ila(1), North Sea (1)	Р	1	0
Turbot and brill	Psetta maxima & Scophthalmus rhombus	Ila(1), North Sea (1)	P	1	0
Skates and Rays	Rajidae spp.	Ila(1), North Sea (1)	Р	1	0
Dab and flounder	Limanda limanda & Platichthys flesus	Ila(1), North Sea (1)	P	1	0
Lemon sole and witch	Microstomus kitt & Glyptocephalus cynoglossus	Ila(1), North Sea (1)	Р	1	0

.

(1) Community waters

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