



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.1998
COM(1998) 757 final

Proposal for a

COUNCIL REGULATION (EC)

allocating, for 1999, catch quotas between Member States
for vessels fishing in Polish waters

(presented by the Commission)

EXPLANATORY MEMORANDUM

In accordance with the Act of Accession of Austria, Finland and Sweden, the fisheries agreements concluded by these countries with third countries shall be managed by the Community.

On the basis of the bilateral Fisheries Agreement concluded between Poland and Sweden in 1978, the Community, on behalf of Sweden, held consultations with Poland which resulted in a reciprocal Fisheries Arrangement for 1999.

The purpose of this proposal for a regulation is to allocate among the Member States the quotas available in 1999 to Community (Swedish) vessels fishing in the Polish zone under the above mentioned arrangements.

The fishing possibilities obtained by Sweden as a result of these agreements have been allocated to them.

Proposal for a
COUNCIL REGULATION (EC) No /99

of December 1998

allocating, for 1999, catch quotas between Member States
for vessels fishing in Polish waters

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, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 124 of the 1994 Act of Accession, fisheries agreements concluded by the Kingdom of Sweden with third countries are managed by the Community;

Whereas, in accordance with the procedure provided for in the Agreement on fisheries of 1 February 1978, the Community, on behalf of the Kingdom of Sweden, and the Republic of Poland have held consultations concerning their mutual fishing rights for 1999;

Whereas, in the course of these consultations, the delegations agreed to recommend to their respective authorities that certain catch quotas for 1999 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1999, the results of these consultations held with Poland;

Whereas to ensure efficient management of the catch possibilities available in Polish waters, they should be allocated among the Member States as quotas in accordance with Article 8 of Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the relevant control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy²;

Whereas additional conditions for the year-to-year management of TACs and quotas, in accordance with the provisions laid down in Article 2 of Council Regulation (EC) No. 847/96³, were not agreed with Poland,

¹ OJ No L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) 1181/98 (O.J. L 164, 9.6.1998, p. 1).

² OJ No L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) 2205/97 (O.J. L 304, 7.11.1997, p. 1

³ OJ No L 115, 9.5.1996, p.3

Whereas, for imperative reasons of common interest, this Regulation will apply from 1 January 1999,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1999 vessels flying the flag of a Member State are hereby authorized to make catches in waters falling within the fisheries jurisdiction of Poland and within the quota limits set out in the Annex.

Article 2

Stocks referred to 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 3

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

It shall apply from 1 January 1999.

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

Done at Brussels, December 1998.

**For the Council
The President**

ANNEX

Allocation of Community catch quotas in Polish waters for 1999

(in metric tonnes, fresh round weight)

Species	ICES division	Community catch quotas	Quotas allocated to Member States
Herring	IIIId	1,000	Sweden 1,000 ⁽¹⁾
Cod	IIIId	500	Sweden 500 ⁽¹⁾
Sprat	IIIId	3,000	Sweden 3,000 ⁽¹⁾
Flatfish	IIIId	50	Sweden 50 ⁽¹⁾

⁽¹⁾ A maximum of forty vessels up to 1,000 HP are allowed to fish simultaneously

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