



COMMISSION OF THE EUROPEAN COMMUNITIES

Bruxelles, 09.04.1997  
COM(97) 135 final

Proposal for a

COUNCIL REGULATION (EC)

**amending, for the 2nd 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 1992<sup>1</sup>, establishing a Community regime for fishing and aquaculture.

The Community fisheries for Atlanto-Scandian herring in area II and Horse mackerel in area II , IV and area Vb, VI, VII, VIIIabde, XII , XIV have not been subjected to allocation among Member States. Developments in 1996 have resulted in the need to have a better monitoring of these fisheries by means of an allocation of the respective TAC's in separate fish quotas for each Member State.

The fishery for horse mackerel is an established fishery and the proposal intends to distribute fishing opportunities between Member States in such a way as to reflect the historical patterns of fishing activities for each Member State, as shown by the mean catch over a recent and representative period (1992-1996).

The fishery for Atlanto-Scandian herring establishes fishing opportunities for the Community that have previously been prosecuted to a very limited extent under the common fisheries policy. In this case the criterion chosen has been the average catch during the most recent period on which the fishery has taken place, i.e., 1995-1996.

This proposal intends to address this matter by modifying Council Regulation (EC) N° 390/97<sup>2</sup>.

---

<sup>1</sup> O.J. No L389, 31.12.1992, p. 1

<sup>2</sup> O.J. No L66, 6.3.1997, p. 1

**Proposal for a  
Council Regulation (EC) No /97 of 1997  
amending, for the 2nd 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 aquaculture<sup>1</sup> 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 Council Regulation (EC) No. 390/97<sup>2</sup> fixes, for certain fish stocks and groups of fish stocks, the TACs for 1997 and certain conditions under which they may be fished;

Whereas, in order to prevent overfishing the Community fisheries for Atlanto-Scandian herring in area II and Horse mackerel in area II , IV and area Vb, VI, VII, VIIIabde, XII , XIV should be subjected to allocation among Member States so as these fisheries are properly monitored;

Whereas in accordance with the second sub-paragraph of Article 8(4) of Regulation (EEC) No. 3760/92, the allocation shall assure relative stability of fishing activities; whereas relative stability can in this case be represented by the catch over a recent and representative period;

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

---

<sup>1</sup> O.J. No L 389, of 31.12.1992, p.1

<sup>2</sup> O.J. No L 66, of 6.3.1997, p.1. Regulation as amended by Regulation (EC) No xxx/97 ( O.J. No L XXX of X.X. 1997, 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

Species:	Herring <i>Clupea harengus</i>	Zone: I, II
België / Belgique		(1) Member States must inform the Commission every tuesday of their landings the preceding week. No fishing may take place before 16 April 1997
Danmark	56 780 (1)(2)	(2) Of which no more than 5450 tonnes may be fished in Faroese waters and no more than 17470 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 13100 tonnes in the Norwegian EEZ.
Deutschland	2 260 (1)(3)	(3) Of which no more than 220 tonnes may be fished in Faroese waters and no more than 700 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 520 tonnes in the Norwegian EEZ.
Ellada		(4) Of which no more than 90 tonnes may be fished in Faroese waters and no more than 290 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 220 tonnes in the Norwegian EEZ.
España		(5) Of which no more than 1060 tonnes may be fished in Faroese waters and no more than 3400 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 2550 tonnes in the Norwegian EEZ.
France	950 (1)(4)	(6) Of which no more than 1490 tonnes may be fished in Faroese waters and no more than 4760 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 3570 tonnes in the Norwegian EEZ.
Ireland	11 050 (1)(5)	(7) Of which no more than 1350 tonnes may be fished in Faroese waters and no more than 4300 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 3230 tonnes in the Norwegian EEZ.
Italia		(8) Of which no more than 2840 tonnes may be fished in Faroese waters and no more than 9080 tonnes in Norwegian waters and in the fishing zone around Jan Mayen, but no more than 6810 tonnes in the Norwegian EEZ.
Luxembourg		(9) Fishing of this stock is not allowed in Community waters
Nederland	15 460 (1)(6)	
Osterreich		
Portugal		
Suomi/Finland		
Sverige	13 990 (1)(7)(9)	
United Kingdom	29 510 (1)(8)	
EC	130 000 (1)	
TAC	1 500 000 (1)	
Species:	Horse mackerel <i>Trachurus spp.</i>	Zone: IIa (1), IV (1)
België / Belgique	90	(1) Community waters
Danmark	37470	
Deutschland	2830	
Ellada		
España		
France	70	
Ireland	2180	
Italia		
Luxembourg		
Nederland	6080	
Osterreich		
Portugal		
Suomi/Finland		
Sverige	750	
United Kingdom	5530	
EC	55000	
TAC	60000	

Species:	Horse mackerel <i>Trachurus spp.</i>	Zone: Vb (1), VI, VII, VIII, XII, XIV
België / Belgique		(1) Community waters
Danmark	26060 (2)	(2) May not be fished in the waters under the sovereignty or jurisdiction of Spain and Portugal
Deutschland	17590 (2)	
Ellada		
España	31000	
France	7850 (2)	
Ireland	84330 (2)	
Italia		
Luxembourg		
Nedertand	98900 (2)	
Osterreich		
Portugal	3000	
Suomi/Finland		
Sverige		
United Kingdom	24270 (2)	
EC	293000	
TAC	300000	

ISSN 0254-1475

COM(97) 135 final

# DOCUMENTS

EN

03 14

---

Catalogue number : CB-CO-97-132-EN-C

ISBN 92-78-17923-X

---

Office for Official Publications of the European Communities

L-2985 Luxembourg

7