

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 4 final.

Brussels, 14 January 1977.

Proposal for a

REGULATION (EEC) OF THE COUNCIL

laying down certain interim measures for the
conservation and management of fishery resources
applicable to certain non-Member countries

(submitted to the Council by the Commission)

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Proposal for a
COUNCIL REGULATION (EEC)

laying down certain interim measures
for the conservation and management of fishery resources
applicable to certain non-Member countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community,

Having regard to the Act of Accession,

Having regard to the proposal from the Commission,

Whereas the Council adopted, on 3 November 1976, a set of Resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas the Council adopted, at its meeting on 20 December 1976, a statement on fishery activities in January 1977;

Whereas notifications have been forwarded to the Bulgarian, Cuban, Japanese and Romanian Governments in order to communicate the Council Decisions of 13 and 20 December 1976 prohibiting all fishing activities by their vessels, as from 1 January 1977, in the maritime waters placed under the sovereign control or the jurisdiction of the Member States and situated off the North Sea and Atlantic coasts;

Whereas, in order to preserve fishing grounds, access by the fishing vessels of non-Member countries to these waters must be restricted,

HAS ADOPTED THIS REGULATION:

Article 1

The only catches which Poland, the German Democratic Republic and the Union of Soviet Socialist Republics are authorized to make from 1 January 1977 until 31 March 1977 in the Member States' fishing zones situated off the North Sea and Atlantic coasts and the places where such catches may be made are laid down in Annex I. The conditions under which such catches may be made shall be communicated to those countries.

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Article 2

The only catches which Spain, Finland, Portugal and Sweden are authorized to make from 1 January 1977 until 31 March 1977 in the zones referred to in Article 1 and the places where such catches may be made are laid down in Annex II.

Article 3

1. Pending the conclusion of a fishing agreement with Canada, the catches which Canada is authorized to make from 1 January 1977 to 31 December 1977 in the zones referred to in Article 1 shall be the same as the catches made by that country during 1975, taking into account, where appropriate, the maximum authorized level of catches in 1977 as compared with the level fixed in 1975 for the species concerned in the relevant zones.
2. Pending the conclusion of a fishing agreement with the United States, the catches which the United States is authorized to make from 1 January 1977 to 31 December 1977 in the zones referred to in Article 1 shall be those decided on for the same species as were caught in 1975, with the same monthly intervals as recorded in 1975, subject to the fixing for these species of any maximum authorized catches and of any catch quotas.

Article 4

1. The fishing activities of fishing vessels of any non-Member country which intends to take catches allocated to it in the zones referred to in Article 1 shall be subject to the supervisory dispositions of annex III as well as to any other condition and provision governing fishing activities in the said zones.

2. Detailed rules for the application of this Article which may comprise derogation for certain non-Member countries shall be adopted in accordance with the procedure laid down in Article 32 of Regulation (EEC) No 100/76.

For a limited period, the Commission may invite the Member States to act as agents for the Community in the issuing of licences and for the receipt of notifications from third countries.

3. The Member States shall take all necessary measures to ensure the effectif enforcement of the preceding paragraphs in the waters coming under their sovereignty or falling under their jurisdiction, including regular inspection of the vessels of non-Member countries.

Article 5

This Regulation shall enter into force on January 1977.

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

Done at Brussels,

For the Council,

The President

Quantities which may be caught by certain
non-Member countries, by species and fishing area

The zones concerned are those defined by the International Council for the Exploration of the Seas (ICES) or defined in the Annex to the Convention establishing the North-East Atlantic Fisheries Commission (NEAFC), insofar as they are situated in waters placed under the sovereign control or the jurisdiction of the Member States.

<u>Species</u>	<u>Zone</u>	<u>Quantity (tonnes)</u>
	<u>Poland</u>	
HADDOCK	IV	200
SAITHE	IV	650
MACKEREL	IV	240
MACKEREL	VI B I, 2, VI A I, 2, 4	203
MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	1 137
MACKEREL	VIII (except VIII A I, 2 and VIII B I)	120
GREENLAND HALIBUT	XIV	225
HORSE MACKEREL	VI B I, 2, VI A I 2, 4	4
HORSE MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	143
HORSE MACKEREL	VIII (except VIII A I, 2 and VIII B I)	103
	<u>Democratic Republic of Germany</u>	
SAITHE	IV	850
MACKEREL	VI B I, 2, VI A I, 2, 4	59
MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	331
MACKEREL	VIII (except VIII A I, 2 and VIII B I)	35

<u>Species</u>	<u>Zone</u>	<u>Quantity (tonnes)</u>
<u>Democratic Republic of Germany (continued)</u>		
HORSE MACKEREL	VI B I 2, VI A I 2, 4,	4
HORSE MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	143
HORSE MACKEREL	VIII (except VIII A I, 2 and VIII B I)	103
ROUNDNOSE GRENADIER I (NEAFC)		220
GREENLAND HALIBUT	XIV	1 650
<u>USSR</u>		
HADDOCK	IV	8 475
SAITHE	IV	5 525
SPRAT	IV	1 063
MACKEREL	IV	713
MACKEREL	VI B I, 2, VI A I 2, 4,	876
MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	4 908
MACKEREL	VIII (except VIII A I 2 and VIII B I)	516
HORSE MACKEREL	VI B I, 2, VIAI, 2, 4,	206
HORSE MACKEREL	VII C I, VII K I, VII J I, VII H I, 2, 3	6 929
HORSE MACKEREL	VIII (except VIII A I 2 and VIII B I)	4 978
ROUNDNOSE GRENADIER I (NEAFC)		760
GREENLAND HALIBUT	I (NEAFC)	2 350
GREENLAND HALIBUT	XIV	325
WHITING	IV	850

ANNEX II

Quantities which may be caught by certain non-Member countries, by species and fishing area

The zones concerned are those defined by the International Council for the Exploration of the Seas (ICES) or defined in the Annex to the Convention establishing the North-East Atlantic Fisheries Commission (NEAFC), insofar as they are situated in waters placed under the sovereign control or the jurisdiction of the Member States.

<u>Species</u>	<u>Zone</u>	<u>Quantity (tonnes)</u>
	<u>Spain</u>	
HAKE	VI, VII, VIII	3 200
HORSE MACKEREL	VI B I, 2, VI A I 2, 4	170
HORSE MACKEREL	VII C I, CII K I, VII J I, VII H I, 2, 3	5 720
HORSE MACKEREL	VIII (with the exception of VIII A I 2 and VIII B I)	4 110
All species except clupeiformes and invertebrates	VIII	20 000
	<u>Finland</u>	
HERRING	IV	(token entry)
	<u>Portugal</u>	
COD	I (NEAFC)	375
	<u>Sweden (1)</u>	
HADDOCK	IV	675
SPRAT	IV	1 490
MACKEREL	IV	1 063
WHITING	IV	225
HERRING	IV	(token entry)

(1) These quantities will be supplemented by fishing rights granted to Sweden in zones III A and III D.

Supervisory measures of fishing activities
of non-Member countries

1. Any non-Member country which intends to take catches allocated to it in waters subject to the jurisdiction of Member States, shall ensure that at least one week prior to the intended entry of one of its fishing boats into such waters the following information has been received for such boat by the Community.
 - a) Name of boat
 - b) Its registration number
 - c) Its port of registration
 - d) Its gross registered tonnage or overall length
 - e) Its engine power
 - f) Its call sign, and
 - g) Its fishing programme, including in particular the name of each species of fish that the boat in question intends to catch in each ICES division and subdivision.

2. Fishing activity of the vessels of the non-Member countries referred to in Article 1 of the present regulation is subject to the holding up of a licence.

The number of licenses to be issued, and the type of vessels to be licensed, will be decided in accordance with the procedure of the second paragraph of Article 4, on the basis of the number and type of vessels which would be reasonable to deploy in relation to the total catch entitlement for these countries. This decision will be notified to the non-Member countries concerned by the Community.

Licenses will be issued to vessels figuring on lists submitted by the non-Member countries concerned on condition that the number of vessels figuring on these lists do not exceed the number of licenses to be issued.

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3. Upon entry into waters to the jurisdiction of Member States, each fishing boat of a non-Member country shall inform the Community, through the most expeditious channels available, of the time and location of its entry, as well as of the quantities of fish in its holds and the type and number of fishing gear on board.
4. Each time a fishing boat of non-Member country moves from one ICES division or sub-division to another ICES division or sub-division within waters subject to the jurisdiction of Member States, it shall provide the information referred to in paragraph 3 to the Community.
5.
 1. During its stay in waters subject to the jurisdiction of Member States, each fishing boat of a non-Member country shall keep a fishing log book, in which, after each haul, the quantities of each species caught are recorded, as well as the time and ICES statistical square of such haul and the fishing methods used.
 2. During its stay in waters subject to the jurisdiction of Member States, each fishing boat of a non-Member country shall inform each week the Community of the quantities of each species of fish caught during the preceeding week, as well as of the date and ICES statistical squares of such catches.

6. Upon departure from waters subject to the jurisdiction of Member States, each fishing boat of a non-Member country shall inform the Community of the time and location of its departure, as well as of the quantities of each species of fish caught, and the date and ICES statistical squares of such catches, after the last weekly report required by paragraph 5.2.

7. The fishing boats of non-Member countries shall be subject to inspection with a view to determining whether or not such boats respect the rules set forth in this Regulation including, in appropriate cases, that they are in possession of a valid licences within the terms of paragraph 2.

8. The Commission records the quantities of each species of fish caught by any of non-Member countries and informs the Member States of the extent to which each of these countries has utilized any of the quotas allocated to it.
Notification will be given immediately through the appropriate community channels to the non-Member country concerned when the Commission advises that this country has fully utilised its quota.

9. With the exception of the obligation to report on catches, this Regulation does not apply to fisheries of non-Member countries within the framework of so-called accords de voisinage, provided that such fisheries are carried out by small fishing boats i.e. which operate within a radius of no more than one day voyage from their homeport.