



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.04.1995  
COM(95) 116 final

Proposal for a

COUNCIL REGULATION (EC)

amending Council Regulation (EC) No 3366/94 of 20 December 1994  
laying down for 1995 certain conservation and management measures for  
fishery resources in the Regulatory Area as defined in the Convention  
on Future Multilateral Cooperation in the North West Atlantic Fisheries

(presented by the Commission)

## EXPLANATORY MEMORANDUM

At its special meeting, from 31 January to 1 February 1995, the Northwest Atlantic Fisheries Organization (NAFO) adopted a proposal for an allocation among NAFO Contracting Parties of the TAC for Greenland halibut in NAFO Subareas 2 and 3 for 1995. This proposal allocates to the Community 12.59% of the total TAC, that is, 3,400 tonnes.

Subsequently, the Council adopted on 28 February 1995 a decision whereby the Community objected to this allocation, under the terms of Article XII.1 of the NAFO Convention.

The present proposal amends Council Regulation (EC) No 3366/94 of 20 December 1994 laying down for 1995 certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries, to the effect of setting the new Community catch limits as an autonomous quota of 18,630 tonnes for 1995.

This proposal is made without prejudice to the implementation of the TAC of 27,000 tonnes already adopted by Regulation (EC) No 3366/94. To this end, the special 48-hour catch reporting system is maintained, and provisions are included to allow the stoppage of the fishery in a case where the TAC of 27,000 tonnes is reached, even before the 18,630 tonnes are caught by Community fleets.

The Council is requested to adopt this proposal.

Proposal for a

**COUNCIL REGULATION (EC) No .....**

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laying down for 1995 certain conservation and management measures for  
fishery resources in the Regulatory Area as defined in the Convention  
on Future Multilateral Cooperation in the North West Atlantic Fisheries

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>, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3366/94 of 20 December 1994<sup>(2)</sup>, establishing a limit  
for the total catches of Greenland halibut in NAFO Subareas 2 and 3, is subject to a 48-hour  
catch reporting system;

Whereas the Fisheries Commission of NAFO, at a special meeting from 30 January to  
1 February 1995, proposed an allocation of the TAC for Greenland halibut for 1995;

Whereas the Council decided to present an objection to this allocation, on the basis of Article  
XII.1 of the NAFO Convention;

Whereas, in accordance with the objection to the allocation decided by NAFO, it is necessary  
to establish an autonomous Community quota limiting Community catches of Greenland  
halibut in the Regulatory Area for 1995;

Whereas the magnitude of this autonomous quota should be in accordance with the criteria  
expressed by the Community in NAFO, that is, based on recent recorded catches;

Whereas this autonomous quota should respect the conservation measure established for this  
resource, that is, the TAC of 27,000 tonnes. Whereas to this end, it is necessary to provide  
for the possibility of stopping the fishery once the TAC has been reached, even before the  
autonomous quota is exhausted. Whereas it is necessary to maintain the 48-hour catch  
reporting system to ensure compliance with the TAC,

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<sup>(1)</sup> OJ No L 389, 31.12.1992, p. 1.

<sup>(2)</sup> OJ No L 363, 31.12.1994, p. 48.

HAS ADOPTED THIS REGULATION:

*Article 1*

Council Regulation (EC) No 3366/94 is amended as follows:

Annex I is replaced by the Annex to this Regulation.

*Article 2*

All catches by Member States during 1995, prior to the adoption of the present Regulation, should be counted against the quota established in the Annex.

*Article 3*

This Regulation shall enter into force the day following 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

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**ANNEX I**

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 2J3KL	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Cod	North West Atlantic	NAFO 3NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Cod	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	513
			Greece	
			Spain	1,574
			France	221
			Ireland	
			Italy	
			Luxemburg	
			Netherlands	
			Portugal	2,155
			United Kingdom	1,022
			Austria	
Finland				
Sweden				
Available for Member States				
			EC total	5,485
Atlantic redfish	North West Atlantic	NAFO 3M	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxemburg	
			Netherlands	
			Portugal	
			United Kingdom	
			Austria	
Finland				
Sweden				
Available for Member States				
			EC total	4,030

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Atlantic redfish	North West Atlantic	NAFO 3LN	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	476
			EC total	476
American plaice	North West Atlantic	NAFO 3M <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
American plaice	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Yellowtail flounder	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.



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Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Witch flounder	North West Atlantic	NAFO 3NO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0
Capelin	North West Atlantic	NAFO 3NO	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Squid	North West Atlantic	NAFO-subzones 3+4	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	p.m.
Greenland halibut	North West Atlantic	NAFO-subzones 2+3	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	18,630 <sup>(2)</sup>

<sup>(2)</sup> This quota is subject to compliance with the TAC of 27,000 tonnes established for this stock. Upon exhaustion of the TAC, the directed fishery for this stock shall be stopped irrespective of the level of catches.

Stock			Member State	1995 quota (tonnes)
Species	Geographical region	Zone		
Shrimp	North West Atlantic	NAFO 3LNO <sup>(1)</sup>	Belgium Denmark Germany Greece Spain France Ireland Italy Luxemburg Netherlands Portugal United Kingdom Austria Finland Sweden Available for Member States	
			EC total	0

<sup>(1)</sup> There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4(3) hereof.

ISSN 0254-1475

COM(95) 116 final

# DOCUMENTS

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Catalogue number : CB-CO-95-125-EN-C

ISBN 92-77-87195-4

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Office for Official Publications of the European Communities

L-2985 Luxembourg