

**ARCHIVES HISTORIQUES
DE LA COMMISSION**

**COLLECTION RELIEE DES
DOCUMENTS "COM"**

COM (78)751

Vol. 1978/0275

Historical Archives of the European Commission

Disclaimer

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 751 final.

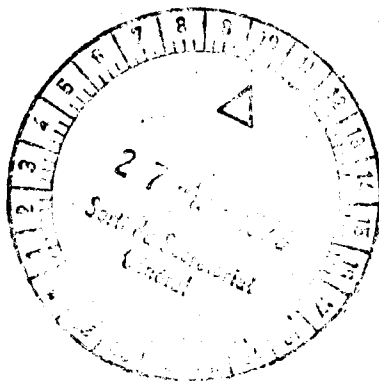
Brussels, 20 december 1978

Proposal for a

REGULATION (EEC) OF THE COUNCIL

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway.

(submitted to the Council by the Commission)



COM(78) 751 final.

EXPLANATORY MEMORANDUM

Consultations between delegations from the Community and Norway about their reciprocal fishing rights in 1979 have not been concluded in time to make it possible to adopt before 31 December 1978 final arrangements for 1979 based on the conclusions of the said consultations.

In order to avoid an interruption of the reciprocal fishing from 1. January 1979 the two delegations have agreed to recommend to their authorities that they adopt interim arrangements valid from 1. January to 28 February in order to allow the conclusion of consultations and the adoption of definitive arrangements for 1979. It is the purpose of the Regulation hereby proposed to establish an interim regime allowing fishing from Norwegian vessels in the Community zone for the said period. Norway will adopt an interim regime permitting fishing from Community vessels in the Norwegian fishing zone during the same period, provided the Council adopts the Regulation hereby proposed.

The quotas provided for in the proposed Regulation are based on 1/6 of the yearly quotas for 1979 offered by the Community to Norway during the said consultations taking into account, however the seasonal variations in fisheries in regard to certain species.

COUNCIL REGULATION (EEC) No

of

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

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

Whereas the Community and the Kingdom of Norway have negotiated a Framework Agreement on fisheries;

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas fishing from Norwegian vessels in the Community's fishing zone is authorized until 31 December 1978 by virtue of Council Regulation (EEC) No 1849/78 of 25 July 1978 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (1);

Whereas consultations between delegations from the Community and Norway about their reciprocal fishing rights in 1979 have not been concluded in time to make possible the adoption before 31 December 1978 of final arrangements for 1979 based on the conclusions of the said consultations;

Whereas the two delegations have recommended to their authorities that they adopt interim arrangements to permit the continuation of their reciprocal fishing pending the adoption of definitive arrangements for 1979;

Whereas in order to prevent interruption of fishing from Norwegian vessels in the Community zone appropriate measures will have to be adopted before 1. January 1979;

Whereas it is necessary to adopt such measures on the basis of Article 103 of the Treaty, subject to their being included at a later date in the common agricultural policy;

Whereas delegations from the Community and Canada have agreed to recommend to their authorities that they coordinate their decisions on the allocations to be given to third parties of certain joint stocks of fish and prawn located in the Davis Strait and in Baffin Bay;

Whereas these two delegations have agreed on the provisional allocations to Norway for the said joint stocks,

HAS ADOPTED THIS REGULATION:

Article 1

1. The catches which vessels flying the flag of Norway are authorized to make during the period 1. January to 28 February 1979 in the 200 nautical-mile fishing zones of the Member States in the North Sea, SKAGERRAK KATTECAT, the Baltic Sea, the Labrador Sea, the Davis Strait, Baffin Bay and the Atlantic Ocean north of 43°00' N which are covered by Community rules on fisheries shall be limited to the quotas set out in the Annex.
2. Notwithstanding paragraph 1 unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

./.

3. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

Article 2

1. Vessels fishing under the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in the zones referred to in Article 1.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information specified in Annex II to Regulation (EEC) no 1849/78 or, in the case of fishing in division XIV as defined by the International Council for the Exploration of the Sea (ICES) and zones O + 1 as defined in the Annex to the Convention establishing the International Commission for North-West Atlantic Fisheries (ICNAF), in Annex IV to Regulation (EEC) no 1849/78, is to be entered.

3. Vessels referred to in paragraph 1 shall transmit to the Commission, according to the rules set out in Annex III to Regulation (EEC) no 1849/78 or, in case of fishing in ICES division XIV and ICNAF zones O + 1, in Annex V to Regulation (EEC) no 1849/78, the information specified in those Annexes.

4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides.

Article 3

1. Fishing within ICES division XIV and ICNAF zones O + 1 under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence. However, not more than 8 licenced vessels shall be authorized to be simultaneously present to fish in the said areas.

./.

2. The number of licences which may be issued for the purpose of paragraph 1 including those which remain valid according to paragraph 3 shall be limited to:

- (a) 13 for fishing halibut, Greenland halibut and redfish;
- (b) 25 for fishing Northern deep-water prawn (*Pandalus borealis*).

3. Licences issued pursuant to Regulation (EEC) no 2301/78 of 29 September 1978 laying down the number of licences for vessels flying the flag of Norway for fishing within the 200-mile fishing zone of the Member States of the Community (1) shall remain valid if so requested by Norwegian authorities until 28 February 1979 at the latest.

Article 4

When an application for a licence is submitted to the Commission, the following information shall be supplied:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) intended area of fishing;
- (k) species for which it is intended to fish;
- (l) period for which a licence is requested.

Article 5

Each licence shall be valid for one vessel only. When several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

(1) O.J. No L 276, 30.9.78, p.1

./.

Article 6

Fishing for mackerel and horse-mackerel in ICES division IV may not begin before the dates fixed separately by the Commission after consultations with the Norwegian authorities for those parts lying north and south of 60°00' N.

Fishing for horse-mackerel in the zones referred to in Article 1 may not continue once the quotas for mackerel have been exhausted.

Article 7

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 8

Where an infringement is duly established the Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

Article 9

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

It shall apply until 28 February 1979

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

Done at Brussels,

For the Council

The President

A N N E X

FISHING QUOTAS FOR THE PERIOD 1. JANUARY TO 28 FEBRUARY 1979

(tonnes)

Species	Fishing zones ICES sub-area or division or ICNAF zone	Quantity
Herring	IIIa) (1)	280 (2)
Mackerel	IV and IIIa) north (SKAGERRAK) VIa) (3) + VIIId) + VIIe) + VIIIf) + VIIh)	10.800 (4)
Horse-mackerel	IV, VIa (3), VIIId) + VIIe) + VIIIf) + VIIh)	6.250
Sprat	IV	830
Cod	IIIa)	23.600
Haddock	IV	4.000 (2)
Saithe	IIIa North (SKAGERRAK)	80 (2)
Whiting	IV	730
Plaice	IIIa	65 (2)
Sandeel	IV and IIIa) north (SKAGERRAK)	2.900
Norway pout/blue whiting	IV	800
Blue whiting	IIIa North SKAGERRAK	65 (2)
Ling	IV	330
Blue ling	IIIa North SKAGERRAK	30 (2)
Tusk	IV	5.000 (5)
Dogfish	IV	3.300 (5)
Basking shark (9)	II, VIa (3), VIb, VII (6), XIV	16.600
Porbeagle	IV, VI, VII	2.300 (7)
Northern deep water prawn (Pandalus borealis)	IV, VI, VII	160 (7)
Greenland halibut	IV, VI, VII	830 (7)
Halibut	IV, VI, VII	2.080 (8)
Redfish	IV, VI, VII	130
	IV, VI, VII	160
	ICNAF 0 + 1 (10) (11)	720
	XIV	Experimental fishery only
	ICNAF 0 + 1 (10)	-
	XIV	130
	ICNAF 0 + 1 (10)	-
	XIV (10)	130 (11)
	ICNAF 0 + 1 (10)	-
	XIV	65

- (1) East of the line connecting Lindesnes to Hanstholm.
- (2) To be reduced by the quantities taken in the parts of Skagerrak under Norwegian and Swedish jurisdiction and/or in Kattegat under Swedish jurisdiction.
- (3) North of 56°30' N
- (4) of which up to 880 tonnes in ICES division IIIa) north (Skagerrak) and the remainder north of 60° N and West of 20 E
- (5) Within the total quota of these two species up to 3300 tonnes may be interchanged.
- (6) West of 12° W
- (7) Long liners only
- (8) This quota does not include catches between 6 and 12 nautical miles from the base-lines of the UK, which are allowed under the conditions laid down in the Anglo-Norwegian Fishery Agreement of 1964.
- (9) basking shark liver
- (10) East of the median line
This quota is divided as follows:
67 tonnes in ICNAF zone 1 A (north of 69°30' N) so called zone 1,
62 tonnes in ICNAF zone 1 A (south of 69°30' N) + 1 B/north of 68°00' N), so called zone 2,
500 tonnes in ICNAF zone 1 B (south of 68°00' N) + 1 C, so called zone 3,
91 tonnes in ICNAF zone 1 D, E,F, so called zone 4.
- (11) only by catch.