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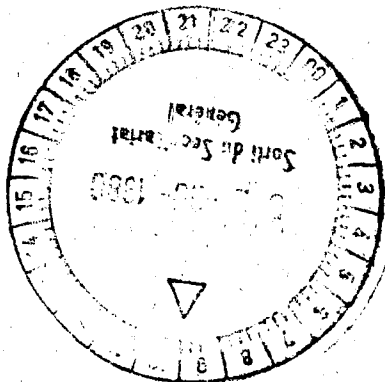
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 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(80) 231 final

Brussels, 28th April 1980



PROPOSAL FOR A COUNCIL REGULATION (EEC)
LAYING DOWN FOR THE YEAR 1980 CERTAIN INTERIM MEASURES
FOR THE CONSERVATION AND MANAGEMENT OF FISHERY RESOURCES
APPLICABLE TO VESSELS FLYING THE FLAG OF NORWAY

(presented by the Commission to the Council)

EXPLANATORY MEMORANDUM

The Commission, in its proposal for a Regulation laying down for 1980 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (Doc. COM (80) 49 final of 14 February 1980), proposed that a regime be established authorizing Norwegian vessels to fish in Community waters which would cover the whole of 1980.

The Council, acting unanimously, adopted a Regulation (1) on 26 March 1980 which differed from that proposed by the Commission in that established an interim regime applicable only until 30 June 1980.

A new Regulation must therefore be adopted establishing a regime for the remainder of 1980, authorizing Norwegian vessels to fish in Community waters in accordance with the agreements negotiated with Norway.

The draft Regulation annexed hereto is basically identical to the draft Regulation in the proposal referred to above (COM (80) 49 final of 14 February 1980), which the Council amended unanimously by adopting Regulation (EEC) No 807/80.

The Commission therefore recommends that before 30 June 1980, when the current regime expires, and after consulting the European Parliament, the Council adopt the draft Regulation annexed hereto.

(1) Council Regulation (EEC) No 807/80, OJ L 88, p. 10

COUNCIL REGULATION (EEC)

laying down for the year 1980
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 43 thereof,

Having regard to the proposal from the
Commission

Having regard to the opinion of the European
Parliament (1),

aspects

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

Whereas the Community and Norway have held
consultations concerning their reciprocal fishing
allocations for 1980 on the basis of the principles laid
down in that Agreement

Whereas during these consultations the delegations
agreed to recommend their respective authorities that
they fix certain catch quotas for 1980 for vessels of
the other party;

Whereas the Agreement of 19 December 1966
between Denmark, Norway and Sweden on mutual
access to fishing in Skagerrak and Kattegat provides
that each party shall grant access to fishing by vessels
of the other parties within its fishing zone in
Skagerrak and part of Kattegat up to four nautical
miles from the base-lines;

Whereas under that Agreement the Community,
Norway and Sweden have consulted about regulatory
measures for fishing in the area covered thereby;

Whereas during these consultations delegations have
agreed to recommend their respective authorities to
introduce catch limitations for certain species in these
areas;

Whereas the proposed catch limitations consist of
quotas, allocated to each party, which are not
subdivided according to the fishing zones of the
parties;

Whereas the Fishery Agreement of 1964 between the
United Kingdom and Norway provides that
Norwegian vessels are authorized to fish for dogfish
and basking shark in certain areas between six and 12
nautical miles from the base-lines of the United
Kingdom;

Whereas the interim regime laid down in Regu-
lation (EEC) No. 807/80 (2) authorizing fishing
by Norwegian vessels in the Community fishery
zone, which expires on 30 June 1980, should be
replaced by a definitive regime for 1980 in
accordance with the arrangements negotiated
between the Community and Norway ;

HAS ADOPTED THIS REGULATION:

Article 1

1. Fishing by vessels flying the flag of Norway in
the 200 nautical mile zone of the Member States in
the North Sea, Skagerrak, Kattegat, the Baltic Sea,
the Labrador Sea, Davis Strait, Baffin Bay and the
Atlantic Ocean north of 43°N shall be authorized
during 1980 for the
species mentioned in Annex I within the geographical
and quantitative limits laid down therein and in
accordance with the conditions laid down in this
Regulation.

2. Fishing authorized under paragraph 1 shall be
limited to the parts of the 200 nautical mile fishing
zone lying seawards of 12 nautical miles from the
base-lines from which the territorial seas of Member
States are measured with the following exceptions:

- (a) fishing in the Skagerrak is allowed seawards of
four nautical miles from the base-lines of
Denmark;
- (b) fishing for dogfish and basking shark is allowed
in the areas defined in Annex II.

(1) Opinion delivered on

(2) OJ No L.88, 1.4.1980, p. 10

3. 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.

4. 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 that Article.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information set out in Annex III is entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division III a) shall transmit to the Commission the information set out in Annex IV. This information is to be transmitted according to the rules set out in that Annex.

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 sub-area XIV and NAFO sub-area 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.

2. The delivery of licences for the purpose of paragraph 1 shall be subject to the condition that the number of licences shall not exceed:

— 13 for fishing Greenland halibut and redfish,

— 26 for fishing northern deep-water prawn (*Pandalus borealis*) within ICES sub-area XIV and in NAFO sub-area 1.

However, the number of vessels fishing simultaneously for Northern deep-water prawn may not exceed:

— 14 as an average calculated per month for the whole year, the maximum being 19 vessels per month, in NAFO sub-area 1;

— nine as an average calculated per month for the whole year, the maximum being 15 vessels per month, ICES sub-area XIV.

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

4. Licences may be cancelled with a view to the issue of new licences. The cancellation shall take effect from the date of the surrender of the licence to the Commission.

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

Fishing for the quotas referred to in Article 1 for blue ling, ling, tusk, Greenland halibut, halibut and redfish is only allowed by use of the method commonly known as 'long-lining'.

Article 6

Fishing in Skagerrak for the quotas referred to in Article 1 is subject to the following provisions:

1. direct fishing for herring is prohibited from 1 October to 31 December 1980.

2. direct fishing for herring for purposes other than human consumption is prohibited.

3. the use of trawl and purse seine for the capture of pelagic species is prohibited from Saturday midnight to Sunday midnight.

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 from 1 January to 31 December 1980.

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

Done at

For the Council

The President

ANNEX I

Fishing quotas

(tonnes)

Species	Area within which fishing is authorized	Quantity
Herring	Skagerrak (*)	3 500 (*)
Mackerel	ICES IV and Skagerrak (*) ICES VI a) (*) + VII d), e), f), h)	39 800 22 000
Horse-mackerel	ICES IV, VI a) (*) + VII d), e), f), h)	5 000
Sprat	ICES IV Skagerrak	71 000 11 000 (*)
Cod	ICES IV Skagerrak (*)	10 000 2 000
Haddock	ICES IV Skagerrak (*)	3 000 300 (*)
Saithe	ICES IV and Skagerrak (*)	20 000
Whiting	ICES IV Skagerrak (*)	4 000 400 (*)
Plaice	ICES IV Skagerrak (*)	500 200 (*)
Sandeel, Norway pout/blue whiting	ICES IV	50 000 (*)
Blue whiting	ICES II, VI a) (*), VI b), VII (*), XIV	125 000
Ling, blue ling and tusk	ICES IV, VI, VII	20 000
Dogfish	ICES IV, VI, VII	8 000 (*)
Basking shark (*)	ICES IV, VI, VII	800 (*)
Porbeagle	ICES IV, VI, VII	1 000
Northern deep-water prawn (Pandalus borealis)	NAFO I (*) ICES XIV	2 500 2 500 (*)
Greenland halibut and redfish	NAFO I, ICES XIV	1 800
Halibut	NAFO I, ICES XIV	200
Other species	ICES IV	5 000

(*) Limited in the west by a line drawn from the lighthouse of Hånsjöholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tisularna and from there to the nearest coast of Sweden.

(*) To be reduced by the quantities taken outside the EEC fishing zone.

(*) North of 56° 30' N.

(*) Of which sandeel alone no more than 50 000 tonnes or Norway pout and blue whiting together no more than 40 000 tonnes.

(*) West of 12° W.

(*) This quota does not include catches taken in the areas defined in Annex II.

(*) Basking shark liver.

(*) South of 60° N.

(*) Experimental fishery only.

ANNEX II

Zone between six and 12 nautical miles from the base-lines of the territorial sea of the United Kingdom

- (a) Fishing for dogfish: the areas extending from a line due west of Ard an Runair (North Uist) northwards to a line due east of Start Point (Orkney) including the areas around the Flannan Islands, the Shetland Islands and Fair Isle and the off-lying islands of the St Kilda Group, North Rona and Sulisker, Sule Skerry and Stack Skerry.
- (b) Fishing for basking sharks: the same areas as for dogfish and also the area between a line due west of the Mull of Oa (Islay) and a line due west of Ard an Runair.

ANNEX III

1. The following details are to be entered in the logbook after each haul when fishing within the 200 nautical mile fishing zone off the coasts of the Member States of the Community which is covered by exclusive Community rules on fisheries:
 - 1.1. the quantity (in kg) of each species caught;
 - 1.2. the date and the time of the haul;
 - 1.3. the geographical position in which the catches were made;
 - 1.4. the fishing method used.
2. The following logbook has to be used when fishing within NAFO sub-area 1.