COUNCIL REGULATION (EEC) No 1672/77

of 25 July 1977

laying down interim measures for the conservation and management of certain herring stocks

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 Council Regulation (EEC) No 350/77 of 18 February 1977 laying down certain interim measures for the conservation and management of fishery resources [1], as last amended by Regulation (EEC) No 1417/77 [2], and in particular Article 1 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1 of Regulation (EEC) No 350/77 provides *inter alia* for the adoption, as regards North Sea herring, of measures to be applied for the remainder of 1977; whereas in implementing that Regulation, on the basis of the available scientific estimates, direct fishing for herring should be prohibited until 30 September 1977, pending a re-examination of the herring stock situation;

Whereas, in order to render the measure laid down in Article 2 of Regulation (EEC) No 350/77 more effective, the prohibition of direct fishing for herring in the Celtic Sea should be extended to Divisions VII (e) and (f) as defined by the International Council for the Exploration of the Sea;

Whereas direct fishing for herring in the zones West Celtic Sea and West of Ireland should also be temporarily forbidden;

Whereas in view of the risk that the fishing effort will be transferred to other zones, conservation measures must be taken for other herring stocks; whereas, therefore, the fishing of these stocks should be limited by dividing the permitted catches equitably into quotas allocated to the Member States;

Whereas the spawning grounds of the herring stocks in the Irish Sea, which are particularly vulnerable, must be protected;

Whereas the measures in question must be taken without delay in view of the risks which the current over-exploitation of fishery resources holds for Community supplies of certain species; whereas as an interim step measures complementary to those laid down in Regulation (EEC) No 350/77 should be adopted on the basis of Article 103 of the Treaty, subject to their being included at a later date in the common agricultural policy,

HAS ADOPTED THIS REGULATION:

Article 1

The catch quotas for the direct fishing of herring in the North Sea until 30 September 1977 in sub-area IV and Division VII (d) as defined by the International Council for the Exploration of the Sea shall be fixed at zero for all Member States.

Article 2

Direct fishing for herring in Divisions VII (e) and (f) of the Celtic Sea as defined by the International Council for the Exploration of the Sea shall be prohibited until 31 December 1977.

Article 3

Direct fishing for herring shall be prohibited in the Irish Sea, Division VII (a) as defined by the International Council for the Exploration of the Sea until 31 December 1977 within 12 miles from the base line off the east coast of Northern Ireland and Ireland between 53°20' N and 54°40' N.

Article 4

Direct fishing for herring shall be prohibited until 31 August 1977 in the zone West of Ireland, Divisions VII (b) and (c) (excluding Donegal Bay) [1], as defined by the International Council for the Exploration of the Sea and in the zone West Celtic Sea, Divisions VII (j) and (k).

Article 5

1. Without prejudice to Articles 3 and 4, the catch quotas allocated to each Member State on an annual basis for the direct fishing of herring of certain stocks or groups of stocks moving in certain sub-areas and divisions defined by the International Council for the Exploration of the Sea are fixed for 1977 in the Annex.

2. Herring catches of these stocks realized during the period from 1 January 1977 until the entry into

(1) OJ No L 48, 19. 2. 1977, p. 28.
(2) OJ No L 160, 30. 6. 1977, p. 20.

(1) Donegal Bay is defined as that part of Division VII (b), bounded on the north by 54°30' latitude North, on the west by 10° longitude West and on the south and the east by the Irish coast.

force of this Regulation shall be counted against the quotas fixed under paragraph 1.

Article 6

1. The Member States shall be authorized to catch herring as by-catches in the course of direct fishing for other species in the zones referred to in Articles 1 to 5 of this Regulation and in Article 2 of Regulation (EEC) No 350/77 up to a limit of 10 % by weight of catches of sprat and 5 % by weight of catches of Norwegian pout, of sand eels and other species during each voyage.

2. By-catches in the North Sea, calculated on an annual basis, may not, however, exceed 15 000 tonnes for Denmark, 1 650 tonnes for the United Kingdom, 410 tonnes for Germany and 275 tonnes for the other Member States.

3. By-catches in the zones referred to in Article 5 shall be counted against the quotas allocated to each Member State for those zones.

Article 7

The Member States shall take, as far as is possible, all necessary steps to ensure compliance with the provisions of this Regulation within the maritime waters under their sovereignty or jurisdiction, and covered by the Community rules on fisheries.

The checks carried out by the Member States shall be reported at regular intervals to the Commission.

In each case they shall mention the type and the nationality of the vessel, any infringements recorded, and measures taken as a result.

Article 8

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

It shall apply until the entry into force of the Community rules for the conservation and management of fishery resources or, at the latest, until 31 December 1977.

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

Done at Brussels, 25 July 1977.

For the Council

The President

H. SIMONET

ANNEX

Quantities of herrings, by stock, which may be caught by Member States

Except where indicated to the contrary the regions shall be those defined by the International Council for the Exploration of the Sea (ICES) in so far as these are under the sovereignty or jurisdiction of the Member States and are covered by Community rules on fishing.

Species	Stock		Catches in thousand tonnes	
	Geographical region	ICES division	Quota	
Herring	West Celtic Sea	VII (j), (k)	Ireland Other Member States	1·0 0·1
Herring	West of Ireland	VII (b), (c) (1)	Germany France Ireland Netherlands United Kingdom	0·8 0·4 4·6 8·3 0·8
Herring	West of Scotland	VI (a) (2)	Germany Denmark France Ireland Netherlands United Kingdom	3·7 0·2 1·2 6·4 3·0 39·0

(1) Except Donegal Bay (*).

(2) Including Donegal Bay (*).

(*) Donegal Bay is defined as that part of Division VII (b), bounded on the north by 54° 30' latitude North, on the west by 10° longitude West and on the south and the east by the Irish coast.