COUNCIL REGULATION (EEC) No 2160/77

of 30 September 1977

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

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 in Regulation (EEC) No 373/77 [1] the Council laid down, for the period 1 January to 31 March 1977, certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries, and in particular Spain;

Whereas in Regulations (EEC) No 746/77 [2], (EEC) No 1416/77 [3] and (EEC) No 1709/77 [4] the Council extended the application of certain provisions of Regulation (EEC) No 373/77;

Whereas the above Regulations were adopted in order to establish interim measures pending the conclusion of negotiations between the Community and these countries, and in particular Spain, with a view to concluding framework agreements on fisheries;

Whereas the negotiations with Spain have not yet been concluded, and it is therefore necessary to lay down interim measures for a period of three months;

Whereas it appears necessary that certain amendments should be made to the existing rules,

HAS ADOPTED THIS REGULATION:

Article 1

The only catches of species of fish other than tunny which Spain is authorized to make from 1 October to 31 December 1977 in the 200-nautical mile fishing zones of the Member States situated off the North Sea and Atlantic coasts and covered by Community rules on fisheries, and the places where such catches may be made, are laid down in Annex I.

Article 2

The fishing quotas shall be granted subject to compliance with the conservation measures and supervisory measures and other provisions governing fishing in the zones referred to in Article 1.

Article 3

1. Fishing within the zones referred to in Article 1 by vessels flying the flag of Spain shall be subject to the granting of a licence on behalf of the Community by the Commission and to observance of the conditions set out in the licence.

2. Each licence shall be valid for one vessel only for a period not extending beyond 31 December 1977 and for the species of fish indicated in the licence within the quantitative and geographical limits referred to in Article 1.

3. The maximum number of vessels permitted to fish in a given geographical zone and the maximum number of vessels authorized to fish there simultaneously are laid down in Annex II.

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 and external identification letters and numbers;

(c) port of registration;

(d) name and address of the owner or charterer;

(e) gross tonnage and overall length;

(f) engine power;

(g) call sign and radio frequency;

(h) intended method of fishing;

(i) intended area of fishing;

(j) species intended to be fished;

(k) period for which licence is requested.

(1) OJ No L 53, 25. 2. 1977, p. 1.
(2) OJ No L 90, 8. 4. 1977, p. 8.
(3) OJ No L 160, 30. 6. 1977, p. 18.
(4) OJ No L 189, 29. 7. 1977, p. 8.

Article 5

The Member States shall take measures to ensure, as far as possible, the enforcement of Articles 1, 2 and 3 as regards the maritime waters coming under their sovereignty or falling under their jurisdiction, including in particular regular inspection of the vessels of non-member countries.

In this connection, Member States and the Commission shall communicate to each other the information required for compliance with this Regulation, with regard in particular to the monitoring of the volume of catches taken by vessels flying the flag of Spain.

Article 6

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

It shall apply until 31 December 1977.

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

Done at Brussels, 30 September 1977.

For the Council

The President

A. HUMBLET

ANNEX I

Quantities by species and zones (ICES) which may be caught by vessels flying the flag of Spain from 1 October to 31 December 1977

Species	Zone (ICES)	Quantity (tonnes)
Hake	VI	585
	VII	2 000
	VIII	2 415
Other species, except plaice, and sole, taken as by-catches of hake (1)	VI	1 170
	VII	4 000
	VIII	4 830

(1) Catches of cod, haddock, whiting and saithe shall not constitute more than 3 % of the catch on board any vessel and catches of clupeiforms and invertebrates not more than 5 %.

ANNEX II

1. Maximum number of vessels and vessel types permitted to fish in a given zone for which a licence has been obtained.

Zone (ICES)	Vessel type	Number of vessels
VI	Tonnage not greater than 300 GRT, horse power not greater than 800 HP (1)	23
VII		84
VIII		95

2. Maximum number of vessels and vessel types permitted to fish at the same time in a given zone for which a licence has been obtained.

Zone (ICES)	Vessel type	Number of vessels
VI	Tonnage not greater than 300 GRT, horse power not greater than 800 HP (1)	15
VII		53
VIII		74

(1) If the BHP of a vessel exceeds 800 HP, then the following conversion factors will be applied :

— vessels of a power equal to or greater than 800 but not greater than 1 100 BHP = 1·75,

— vessels of a power greater than 1 100 but not greater than 1 500 BHP = 2·25.

For vessels fishing by line in the waters of the Fosse du Cap Breton (i.e. between the meridians 1° 40' and 2° 0' West and between the parallels 43° 33' and 43° 40', North) the following conversion rate shall apply up to a limit of 30 vessels :

— vessels of a tonnage not greater than 50 GRT = 0·2.