COUNCIL REGULATION (EEC) No 204/78

of 31 January 1978

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 Regulation (EEC) No 3021/77 [2], the Council most recently 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 further period;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The only catches which vessels flying the flag of Spain are authorized to make 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 are laid down in the Annex.

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

Article 2

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

2. The validity of the licences issued by the Commission under Regulation (EEC) No 2160/77 is hereby extended to 20 February 1978.

Article 3

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 intended to be fished;

(l) period for which a licence is requested.

Article 4

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

(1) OJ No L 53, 25. 2. 1977, p. 1.
(2) OJ No L 355, 31. 12. 1977, p. 47.

Article 5

1. The licence holder shall be required to comply with the conditions of the licence and to notify a radio station of the Member States at the times stipulated in the licence, including *inter alia* details of the vessel's position and the catch of each species.

2. The Member States radio stations shall immediately notify the Commission directly of messages transmitted by fishing vessels flying the flag of Spain in compliance with the licence.

Article 6

Member States shall take measures to ensure, as far as possible, the enforcement of Article 1 in respect of the maritime waters coming under their sovereignty or falling within their jurisdiction, including the regular inspection of vessels.

Article 7

Within 24 hours of detecting any infringement, Member States shall inform the Commission of the name of the vessel involved and details of the action they have taken.

Article 8

This Regulation shall enter into force on 1 February 1978.

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

Done at Brussels, 31 January 1978.

For the Council

The President

P. DALSAGER

ANNEX

1. **Catch quotas for the period 1 to 20 February 1978 :**

Species	ICES zone	Quantity (tonnes)
Hake	VI	130
	VII	445
	VIII	537
Other species, except plaice and sole, taken as by-catches of hake (1)	VI	260
	VII	889
	VIII	1 073

(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 %.

2. **Number of standard-vessel licences that may be issued for each ICES zone (1) :**

ICES zone	Number of licences
VI	23
VII	84
VIII	95

3. **Maximum number of standard vessels (1) permitted to fish at the same time in a given zone for which a licence has been obtained :**

ICES zone	Number of standard vessels
VI	15
VII	53
VIII	74

(1) A standard vessel is a vessel having a bhp equal or inferior to 800 bhp.

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.