COUNCIL REGULATION (EEC) No 205/78

of 31 January 1978

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200 nautical mile zone off the coast of the French department of Guyana

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 1014/77 (1), the Council laid down, until 30 June 1977, certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain third countries in the 200 mile zone situated off the coast of the French department of Guyana;

Whereas in Regulation (EEC) No 2971/77 (2), the Council last extended the arrangements established by Regulation (EEC) No 1014/77 until 31 January 1978;

Whereas the above Regulations were adopted in order to establish interim measures pending negotiations between the Community and the countries concerned in order to conclude fishery agreements in the zone under consideration; whereas pending these negotiations and to avoid an interruption of fishing, interim measures should be established for a further period;

Whereas the Governments of Barbados, of Guyana and of Trinidad and Tobago have requested the Community for fishing possibilities in the above-mentioned zone for vessels flying their flag;

Whereas vessels of these countries have, in the past, fished for shrimps in these waters;

Whereas the Community wishes to contribute to the continuation of this activity, given its importance for the economic development of these countries, and they should therefore be included among the countries whose vessels are authorized to fish in this zone;

Whereas continued supplies for the industries installed within the territory of the French department of Guyana should be ensured,

HAS ADOPTED THIS REGULATION:

Article 1

1. The only catches which vessels flying the flag of a third country shall be authorized to take in the fishing zone extending 200 nautical miles from the base lines of the French department of Guyana 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 surveillance measures and all other provisions governing fishing in the zones referred to in paragraph 1.

Article 2

1. Fishing within the fishing zone referred to in Article 1 shall be subject to the possession of a licence issued by the Commission on behalf of the Community, and to observance of the conditions set out in the licence.

These licences are issued to the authorities of the third countries concerned on demand within the limits indicated in paragraphs 2 and 3.

2. For fishing tuna-like species, licences shall be issued for the number of vessels laid down for each third country in paragraph 2 of the Annex.

3. For shrimp fishing, licences may be issued:

(a) to the vessels which have habitually landed their catches in the French department of Guyana, the number of which is laid down by country in paragraph 3 of the Annex. These licences shall be valid from the date of issue until 31 May 1978

(1) OJ No L 123, 17. 5. 1977, p. 1.
(2) OJ No L 351, 31. 12. 1977, p. 3.

(b) to vessels other than those referred to in subparagraph (a), on the basis of a fishing plan presented by the authorities of the country concerned and approved by the Commission which may not provide for a total number of fishing days for all of the vessels covered by the fishing plan which exceeds the limit indicated in paragraph 4 of the Annex. The validity of each of the licences issued on the basis of a fishing plan shall be limited to the fishing period provided for in the plan.

4. Notwithstanding paragraph 3, all licences issued to the vessels of a third country shall cease to be valid as soon as it is established that the quota referred to in Article 1 is exhausted.

The Commission shall inform the authorities of the country concerned thereof.

Article 3

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

(a) name of vessel ;

(b) registration number ;

(c) external identification letters and numbers ;

(d) port of registration ;

(e) name and address to 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 which it is intended to fish ;

(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.

Article 5

1. The licence holder shall comply with the conditions of the licence and communicate to a radio station of the Member State referred to in Article 6 the information specified therein.

2. The authorities of the Member State referred to in Article 6 shall immediately and directly communicate to the Commission the information referred to in paragraph 1.

Article 6

The authorities of the Member State which exercises sovereignty or jurisdiction in the zone covered by this Regulation shall take appropriate measures to ensure the implementation of Article 1, including the regular inspection of vessels.

Article 7

1. The authorities of the Member State referred to in Article 6 shall inform the Commission of any infringement or irregularity within 24 hours of its detection, as well as the name of the vessel involved and details of any action taken.

2. In the event of it being duly established that there has been non-compliance, the licence shall be withdrawn by the issuing authority.

Article 8

1. The validity of the licences issued by the Commission under Regulation (EEC) No 2159/77 [1] is hereby extended until 28 February 1978 unless they are returned before that date by the third country concerned.

2. The number of days of validity of the licences referred to in paragraph 1 shall be counted against the limit for fishing days laid down in paragraph 4 of the Annex ; however, returned licences shall not be so counted with effect from the date on which the Commission receives notification thereof.

Article 9

This Regulation shall enter into force on 1 February 1978.

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[1] OJ No L 250, 30. 9. 1977, p. 15.

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. **Fishing possibilities for the period 1 February to 31 May 1978 :**

(a) Species : Tuna-like species :

Country : Japan
Korea
Venezuela

(b) Species : Shrimps :

		Quantity (tonnes)
Country :	Barbados :	46
	Guyana :	46
	Japan :	184
	Korea :	141
	Surinam :	46
	Trinidad and Tobago :	46
	United States of America :	491

2. **Number of vessels referred to in Article 2 (2) :**

Japan :	5
Korea :	23
Venezuela :	15

3. **Vessels referred to in Article 2 (3) (a) :**

United States : 54

4. **Maximum number of fishing days referred to in Article 2 (3) (b) :**

Barbados :	607
Guyana :	607
Japan :	1 553
Korea :	1 741
Surinam :	607
Trinidad and Tobago :	607
United States of America :	1 297