COUNCIL REGULATION (EEC) No 3150/78

of 21 December 1978

laying down 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 103 thereof,

Having regard to the proposal from the Commission,

Whereas on 3 November 1976 the Council adopted a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

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

Whereas the Commission has submitted the Agreement to the Council for approval;

Whereas fishing from Norwegian vessels in the Community's fishing zone is authorized until 31 December 1978 by virtue of Council Regulation (EEC) No 1849/78 of 25 July 1978 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway [1];

Whereas consultations between delegations from the Community and Norway about their reciprocal fishing rights in 1979 have not been concluded in time to make possible the adoption before 31 December 1978 of final arrangements for 1979 based on the conclusions of the said consultations;

Whereas the two delegations have recommended to their authorities that they adopt interim arrangements to permit the continuation of their reciprocal fishing pending the adoption of definitive arrangements for 1979;

Whereas in order to prevent interruption of fishing from Norwegian vessels in the Community zone appropriate measures will have to be adopted before 1 January 1979;

Whereas it is necessary to adopt such measures on the basis of Article 103 of the Treaty subject to their being included at a later date in the common agricultural policy;

Whereas delegations from the Community and Canada have agreed to recommend to their authorities that they coordinate their decisions on the allocations to be given to third parties of certain joint stocks of fish and prawn located in the Davis Strait and in Baffin Bay;

Whereas these two delegations have agreed on the provisional allocations to Norway for the said joint stocks,

HAS ADOPTED THIS REGULATION:

Article 1

1. The catches which vessels flying the flag of Norway are authorized to make during the period 1 January to 28 February 1979 in the 200 nautical-mile fishing zones of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, the Davis Strait, Baffin Bay and the Atlantic Ocean north of 43° N which are covered by Community rules on fisheries shall be limited to the quotas set out in Annex I.

2. 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.

3. 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 Article 1.

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[1] OJ No L 211, 1. 8. 1978, p. 13.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information specified in Annex II or, in the case of fishing in division XIV as defined by the International Council for the Exploration of the Sea (ICES) and zones 0 + 1 as defined in the Annex to the Convention establishing the International Commission for North-West Atlantic Fisheries (ICNAF), in Annex IV, is to entered.

3. Vessels referred to in paragraph 1 shall transmit to the Commission, according to the rules set out in Annex III or, in the case of fishing in ICES division XIV and ICNAF zones 0 + 1, in Annex V, the information specified in those Annexes.

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 division XIV and ICNAF zones 0 + 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. However, not more than eight licensed vessels shall be authorized to be present simultaneously to fish halibut, Greenland halibut and redfish in the said areas.

2. The number of licences which may be issued for the purpose of paragraph 1 including those which remain valid according to paragraph 3 shall be limited to:

(a) 13 for fishing halibut, Greenland halibut and redfish;

(b) 25 for fishing northern deep-water prawn (Pandalus borealis).

3. Licences issued pursuant to Council Regulation (EEC) No 2301/78 of 29 September 1978 laying down the number of licences for vessels flying the flag of Norway for fishing within the 200-mile fishing zone of the Member States of the Community [1] shall remain valid if so requested by Norwegian authorities until 28 February 1979 at the latest.

[1] OJ No L 276, 30. 9. 1978, p. 1.

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

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

Article 6

1. Fishing for mackerel and horse-mackerel in ICES division IV may not begin before the dates fixed separately by the Commission after consultations with the Norwegian authorities for those parts lying north and south of 60° N.

2. Fishing for horse-mackerel in the zones referred to in Article 1 may not continue once the quotas for mackerel have been exhausted.

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 until 28 February 1979.

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

Done at Brussels, 21 December 1978.

For the Council

The President

Otto Graf LAMBSDORFF

ANNEX I

Fishing quotas for the period 1 January to 28 February 1979

(tonnes)

Species	Fishing zones ICES sub-area or division or ICNAF zone	Quantity
Herring	III a) north (Skagerrak) (1)	0
Mackerel	IV and III a) north (Skagerrak)	10 800 (4)
	VI a) (3) + VII d) + VII e) + VII f) + VII h)	6 250
a) Horse-mackerel	IV, VI a) (3), VII d) + VII e) + VII f) + VII h)	830
Sprat	IV	35 000
	III a)	6 000 (2)
Cod	IV	1 960
	III a) north (Skagerrak)	80 (2)
Haddock	IV	730
	III a)	65 (2)
Saithe	IV and III a) north (Skagerrak)	2 900
Whiting	IV	800
	III a) north (Skagerrak)	65 (2)
Plaice	IV	330
	III a) north (Skagerrak)	30 (2)
Sandeel	IV	5 000 (5)
Norway pout/blue whiting	IV	3 300 (5)
Blue whiting	II, VI a) (3), VI b), VII (6), XIV	16 600
Ling	IV, VI, VII	2 300 (7)
Blue ling	IV, VI, VII	160 (7)
Tusk	IV, VI, VII	830 (7)
Dogfish	IV, VI, VII	2 080 (8)
Basking shark (9)	IV, VI, VII	130
Porbeagle	IV, VI, VII	160
Northern deep water prawn (Pandalus borealis)	ICNAF 0 + 1	830 (10)
	XIV	Experimental fishery only
Greenland halibut	ICNAF 0 + 1 (11)	—
	XIV	130
Halibut	ICNAF 0 + 1 (11)	—
	XIV (10)	130 (12)
Redfish	ICNAF 0 + 1 (11)	—
	XIV	65
Other species	IV	800

(1) East of the line connecting Lindesnes to Hanstholm.

(2) To be reduced by the quantities taken in the parts of Skagerrak under Norwegian and Swedish jurisdiction and/or in Kattegat under Swedish jurisdiction.

(3) North of 56°30′ N.

(4) Of which up to 800 tonnes in ICES division III a) north (Skagerrak), 9 450 tonnes north of 60° N and west of 2° E and 50 tonnes south of 60° N.

(5) Within the total quota of these two species up to 3 300 tonnes may be interchanged.

(6) West of 12° W.

(7) Long liners only.

(8) This quota does not include catches between six and 12 nautical miles from the base-lines of the United Kingdom, which are allowed under the conditions laid down in the Anglo-Norwegian Fishery Agreement of 1964.

(9) Basking shark liver.

(10) Of which 80 tonnes west of the median line (Canadian zone) and 750 tonnes east of the median line and south of 68° N.

(11) East of the median line.

(12) Only by-catches.

ANNEX II

The following details are to be entered in the log-book after each haul:

1. The quantity (in kg) of each species caught;

2. The date and the time of the haul;

3. The geographical position in which the catches were made;

4. The fishing method used.

ANNEX III

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows:

   1.1. On each occasion the vessel enters the 200 nautical-mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries:

   (a) the information specified under point 1.4 below;

   (b) the quantity (in kg) of each species of fish in the hold;

   (c) when and where fishing is to commence.

   1.2. On each occasion the vessel leaves the 200 nautical-mile fishing zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries:

   (a) the information specified under point 1.4 below;

   (b) the quantity (in kg) of each species of fish in the hold;

   (c) the quantity (in kg) of each species caught since the previous transmission;

   (d) the ICES division or ICNAF zone in which the catches were taken;

   (e) the quantity (in kg) of each species transferred to other vessels since the vessel entered the Community fishing zone and the identification of the vessel to which the transfer was made;

   (f) the quantity (in kg) of each species landed in a port of the Community since the vessel entered the Community fishing zone.

   1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the fishing zone of the Member States:

   (a) the information specified under point 1.4 below;

   (b) the quantity (in kg) of each species caught since the previous transmission;

   (c) the ICES division or ICNAF zone in which the catches were made.

   1.4. (a) The name, call sign, identification numbers and letters of the vessel and the name of its master;

   (b) the licence number if the vessel is under licence ;

   (c) the serial number of the message;

   (d) identification of the type of message;

   (e) the date, the time and the geographical position of the vessel.

   2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 21877 COMEU) via one of the radio stations listed under point 3 below and in the form specified under point 4.

2.2 If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. *Name of radio station*	*Call sign of radio station*	
Skagen	OXP	
Blåvand	OXB	
Norddeich	DAF DAK	
	DAH DAL	
	DAI DAM	
	DAJ DAN	
Scheveningen	PCH	
Oostende	OST	
North Foreland	GNF	
Humber	GKZ	
Cullercoats	GCC	
Wick	GKR	
Oban	GNE	
Portpatrick	GPK	
Anglesey	GLV	
Ilfracombe	GIL	
Niton	GNI	
Stonehaven	GND	
Portshead	GKA	
	GKB	
	GKC	
Land's End	GLD	
Valentia	EJK	
Malin Head	EJM	
Boulogne	FFB	
Brest	FFU	
Saint-Nazaire	FFO	
Bordeaux-Arcachon	FFC	
Prins Christians Sund	OZN	Central Godthåb
Julianehåb	OXF	
Godthåb	OXI	
Holsteinsborg	OYS	
Godhavn	OZM	
Bergen	LGN	
Farsund	LGZ	
Florø	LGL	
Rogaland	LGQ	
Tjøme	LGT	
Ålesund	LGA	

4. Form of communications.

Transmission of the information specified under point 1 shall take the form of messages preceded by the words 'Pêcheur Brussels' and the information elements shall be given in the following order:

— the code 'Pêcheur Brussels';

— name of vessel;

— call sign;

— external identification letters and numbers;

— serial number of the message for the voyage in question;

— indication of the type of message according to the following code:

  — message — when entering the Community zone: 'IN',

  — message — when leaving the Community zone: 'OUT,

  — weekly message: 'WKL';

— the geographical position;

— the ICES division or ICNAF zone in which fishing is expected to commence;

— the date on which fishing is expected to commence;

— the quantity (in kg) of each species of fish in the hold using the code mentioned in point 5 below;

— the quantity (in kg) of each species caught since the previous transmission using the code mentioned in point 5 below;

— the ICES division or ICNAF zone in which the catches were made;

— the quantity (in kg) of each species transferred to other vessels since the previous transmission;

— the name and call sign of the vessel to which the transfer was made;

— the quantity (in kg) of each species landed in a port of the Community since the previous transmission;

— name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:

— A: Deep-water prawn (Pandalus borealis),

— B: Hake (Merluccius merluccius),

— C: Greenland halibut (Reinhardtius hippoglossoides),

— D: Cod (Gadus morhua),

— E: Haddock (Melanogrammus aeglefinus),

— F: Halibut (Hippoglossus hippoglossus),

— G: Mackerel (Scomber scombrus),

— H: Horse-mackerel (Trachurus trachurus),

— I: Round-nose grenadier (Coryphaenoides rupestris),

— J: Saithe (Pollachius virens),

— K: Whiting (Merlangius merlangus),

— L: Herring (Clupea harengus),

— M: Sandeel (Ammodytes sp.),

— N: Sprat (Clupea sprattus),

— O: Plaice (Pleuronectes platessa),

— P: Norway pout (Trisopterus esmarkii),

— Q: Ling (Molva molva),

— R: Other,

— S: Shrimp (Penaeidae),

— T: Anchovy (Engraulis encrasicolus).

ANNEX IV

The following details are to be entered in the log-book after each haul:

(a) the present position of the vessel;

(b) the quantity (in kg) of each species caught;

(c) the quantity (in kg) of the catch returned to the sea;

(d) the date and time of the beginning and end of the fishing operation;

(e) the ICES division or ICNAF zone and, for prawn fishing, the sub-zone given in Annex I in which the catch has been made;

(f) gear used;

(g) total of each species caught since entry into the zone.

In addition, the contents of each transmission in accordance with Annex V shall be entered in the log-book.

ANNEX V

The information to be transmitted to the Commission and the timetable for its transmission are as follows:

1.1. On each occasion the vessel enters that part of ICES division XIV which is covered by Community rules on fisheries, or ICNAF zones 0 + 1:

(a) Name of the vessel;

(b) Licence number;

(c) Identification number marked on the side of the vessel;

(d) Name of the captain;

(e) Radio call sign of the vessel;

(f) The quantity (in kg, round weight) of each species of fish in the hold;

(g) Planned activity including when and where fishing is to take place.

1.2. At weekly intervals, commencing on the seventh day after the vessel first enters the zone defined in point 1.1:

(a) Name of the vessel;

(b) Licence number;

(c) Identification marked on the side of the vessel;

(d) The present position of the vessel;

(e) Radio call sign of the vessel;

(f) The period covered by the report;

(g) Nominal catch (round weight) in the period for all species caught, specified by ICES division or ICNAF zone and, for prawn fishing, by the sub-zones given in Annex I;

(h) Discards (round weight) specified by species;

(i) Transfers at sea: species, quantities (with specification of round weight or product weight) and the vessel to which it has been transferred;

(j) Date of the report;

(k) Name of the captain.

1.3. On each occasion the vessel leaves the zone defined in point 1.1, notice should be given at least 48 hours before leaving the said zone.

Before leaving the zone a final report corresponding to the one mentioned under 1.2 must be given. This report must specify the total catches of the vessel by species and by ICES division or ICNAF zone and, for prawn fishing, by the sub-zones given in Annex I.

2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 21877 COMEU) via one of the radio stations listed under point 3 below and in the form specified under point 4.

2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3.

Name of radio station	*Call sign of radio station*	
Prins Christians Sund	OZN	Central Godthåb
Julianehåb	OXF	
Godthåb	OXI	
Holsteinsborg	OYS	
Godhavn	OZM	

4. Form of communication.

Transmission of the information specified under point 1 shall be given in the order specified under points 1.1 and 1.2.