COUNCIL REGULATION (EEC) No 3151/78

of 21 December 1978

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

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 Sweden have signed a Framework Agreement on fisheries;

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

Whereas fishing from Swedish vessels in the Community's fishing zone is authorized until 31 December 1978 by virtue of Council Regulation (EEC) No 1850/78 of 25 July 1978 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden (1);

Whereas consultations between delegations from the Community and Sweden about their reciprocal fishing rights in 1979 have not yet been concluded;

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 Swedish 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. The catches which vessels flying the flag of Sweden 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°00′ 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.

2. Vessels referred to in paragraph 1 shall keep a logbook in which the information specified in Annex II is to be entered.

3. Vessels referred to in paragraph 1 shall transmit to the Commission, according to the rules set out in Annex III, the information specified in the Annex.

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.

(1) OJ No L 211, 1. 8. 1978, p. 20.

Article 3

1. Fishing within ICES divisions IV and VI 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.

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 112.

3. Licences issued pursuant to Regulation (EEC) No 2578/78 of 30 October 1978 laying down the number of licences for vessels flying the flag of Sweden for fishing within the 200-mile fishing zones of the Member States [1] shall remain valid if so requested by Swedish authorities until 28 February 1979 at the latest.

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

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 7

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 8

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

[1] OJ No L 309, 1. 11. 1978, p. 11.

ANNEX I

Fishing quotas for the period 1 January to 28 February 1979

(tonnes)

Species	ICES division	Quantity
Cod	III b), c), d)	250
	III a) north (Skagerrak)	165 (1)
	III a) south (Kattegat)	560 (1)
	IV	65
Haddock	III a)	415 (1)
	IV	100
Whiting	III a) north (Skagerrak)	65 (1)
	III a) south (Kattegat)	90 (1)
	IV	16
Plaice	III a) north (Skagerrak)	65 (1)
	III a) south (Kattegat)	65 (1)
	IV	13
Mackerel	IV + III a) north (Skagerrak)	850 (2)
Sprat	IV	4 400
	III a)	9 000 (1)
Blue whiting	IV, VI (3)	660
Herring	III a) north (Skagerrak) (4)	0
	III a) south (Kattegat)	2 500 (1)
	III b), c), d)	500
	IV	token entry
Ling	IV, VI (3)	65
Salmon	III b), c), d).	10

(1) To be reduced by the quantities taken in the parts of Skagerrak under Norwegian and Swedish jurisdiction and/or in the part of Kattegat under Swedish jurisdiction.
(2) Of which 625 tonnes in ICES division IV, north of 60° N and west of 2° E.
(3) North of 56°30′ N.
(4) East of the line connecting Lindesnes to Hanstholm.

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 date, the time and the geographical position of the vessel.

(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

Name of radio station	*Call sign of radio station*	
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	
Stockholm	SDJ	
Göteborg	SDG	

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).