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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 341/78

of 20 February 1978

laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain, for the period 21 February to 31 May 1978

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, by Regulation (EEC) No 204/78 [1], the Council most recently extended until 20 February 1978, as regards vessels flying the flag of Spain, certain provisions of Council Regulation (EEC) No 373/77 of 24 February 1977 laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries [2];

Whereas, pending the conclusion in the near future of a Framework Agreement between the Community and Spain, interim measures should be laid down for a further period;

Whereas control of fishing can be achieved by means of fishing licences which can be withdrawn in the event of irregularities or the exhausting of the quotas fixed;

Whereas management of the interim rules laid down requires the Commission to be informed of the fishing activity of the vessels concerned;

Whereas the rules provided for in this Regulation have been established taking due account of the provisions currently governing the fisheries sector,

HAS ADOPTED THIS REGULATION:

Article 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 those of the species set out in the Annex, within the quantitative limits laid down therein and caught under the conditions laid down by this Regulation.

Article 2

1. Fishing shall be subject to the granting of a licence, issued by the Commission on behalf of the Community, and to compliance with the conservation and supervisory measures and other provisions governing fishing in the zones referred to in Article 1.

2. Fishing quotas, the number of licences which can be issued to vessels flying the flag of Spain, and the maximum number of vessels in possession of a licence which may fish at the same time within a particular zone, are laid down in the Annex.

Article 3

1. 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;

[1] OJ No L 29, 1. 2. 1978, p. 3.
[2] OJ No L 53, 25. 2. 1977, p. 1.

(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.

2. 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.

3. However, a single licence may be issued on request, for anchovy fishing by two or three vessels whose main characteristics shall be included at the same time in the licence.

Only the vessel which has the original licence on board may fish or hold fish in the zones for which the licence was issued.

4. A vessel fishing in accordance with this Regulation may only hold one licence.

Article 4

A licence holder must supply the information specified in the permit to the Commission through a radio station in one of the Member States.

Article 5

Fishing for hake by means of gill nets shall be forbidden.

Article 6

1. By-catches of cod, haddock, whiting, pollack and saithe, while fishing for hake, may not exceed in total 3 % and those of clupeid fish and nephrops (Nephrops norvegicus) not more in total than 5 % of catches on board a vessel. By-catches of sole and plaice are forbidden.

2. By-catches while fishing for anchovy may not exceed, per vessel, 10 % of the total volume of pelagic fish species or of any sample thereof of at least 100 kilograms of fish on board after sorting or below deck ; they may not include lithe demersal fish species or invertebrates.

Article 7

1. The period of validity of the licences expires as soon as it has been established that the quantities laid down in point 1 of the Annex have been fished.

2. In addition, licences for anchovy fishing may be invalidated if the Commission does not receive on the fifth and twentieth day of each month information concerning the catches made by each vessel and the landings made in each port during the previous fortnight ; this information shall be communicated by the competent Spanish authorities.

Article 8

This Regulation shall enter into force on 21 February 1978.

It shall apply until 31 May 1978.

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

Done at Brussels, 20 February 1978.

For the Council

The President

Per HÆKKERUP

ANNEX

1. **Fishing quotas for the period 21 February to 31 May 1978 :**

Species	ICES zone	Quantities (tonnes)
Hake	VI	344
	VII	1 174
	VIII	1 418
Other species taken as by-catches of hake fishing in accordance with Article 6 (1)	VI	688
	VII	2 358
	VIII	2 836
Anchovy	VIII	17 000

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

Type of fishing	ICES zone	Number of standard vessels
(a) Hake	VI	14
	VII	50
	VIII	57
(b) Anchovy	VIII	140
(c) Fishing exclusively with rods from vessels not exceeding 50 GRT ; these vessels may not carry any other fishing gear on board	VIII	60

3. **Maximum number of standard vessels (1) which may fish for hake simultaneously in any given zone for which a licence has been obtained :**

ICES zone	Number of standard vessels
VI	9
VII	32
VIII	44
Vessels referred to in point 2 (c)	50

(1) A standard vessel is a vessel with a brake horsepower not exceeding 800 bhp. If the brake horsepower is greater than 800 bhp the following conversion factors will be applied :

— vessels exceeding 800 but not exceeding 1 100 bhp = 1·75,
— vessels exceeding 1 100 but not exceeding 1 500 bhp = 2·25.