COUNCIL REGULATION (EEC) No 1638/84

of 7 June 1984

amending for the second time Regulation (EEC) No 320/84 fixing, for certain fish stocks and groups of fish stocks occurring in the Community's fishing zone, provisional total allowable catches for 1984, the provisional share of these catches available to the Community, the allocation of that share between the Member States and the conditions under which the total allowable catches may be fished

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources (1), and in particular Articles 2, 3, 4 (1) and 11 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 320/84 (2), as amended by Regulation (EEC) No 599/84 (3), fixed, for certain fish stocks and groups of fish stocks occurring in the Community's fishing zone, provisional total allowable catches for 1984, the provisional share of these catches available to the Community, the allocation of that share between the Member States and the conditions under which the total allowable catches may be fished ;

Whereas the scientific data on which the allocation between the Member States of the Community share of the total allowable catches (TAC) of monkfish of division V b (EC zone) and sub-areas VI, VII and VIII (EC zone) is incorrect in the case of the United Kingdom ; whereas therefore the corresponding provisions of Regulation (EEC) No 320/84 should be amended ;

Whereas scientific advice relating to each of the ICES divisions has been given for 1984 on total allowable catches of herring in the North Sea and in the eastern English Channel and on the zones and seasons in which herring fishing should be prohibited ;

Whereas, in accordance with the procedure laid down in Article 2 of the Agreement on fisheries between the European Economic Community and the Kingdom of Norway (4), the parties have held consultations on their reciprocal fishing rights as regards North Sea herring stocks for 1984 ;

Whereas these negotiations have so far been inconclusive ; whereas it is nevertheless necessary, in order to proceed with the management of these stocks to provisionally fix the Community shares in the various ICES divisions of the North Sea and of the eastern English Channel, the allocation of these shares by quota and the procedures whereby quotas may be transferred between certain divisions ;

Whereas, by its Decision 83/653/EEC (5), the Council provided for the allocation among the Member States of the quantities of herring which may be fished in the North Sea,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 320/84 is hereby amended as follows :

1. The following Article is added :

   'Article 3a

   As regards the herring stock of the North Sea and of the eastern English Channel, transfers of up to 20 % of the quotas may be effected from ICES divisions IV c and VII d to ICES division IV b.

   However, such transfers must be notified in advance to the Commission.'

2. The following paragraph is inserted in Article 8 :

   '2a. Fishing for herring shall be prohibited in the zone extending from six to 12 miles off the east coast of the United Kingdom as measured from the baselines between latitudes 54° 10'N and 54° 45'N for the period 15 August to 30 September and between latitudes 55° 30'N and 55° 45'N for the period 15 August to 15 September.'

3. Annex I is amended as follows :

   (a) the figures for monkfish in division V b (EC zone) and in sub-areas VI, VII and VIII (EC zone) are replaced by those appearing in Annex I to this Regulation ;

(1) OJ No L 24, 27. 1. 1983, p. 1.
(2) OJ No L 37, 8. 2. 1984, p. 1.
(3) OJ No L 67, 9. 3. 1984, p. 10.
(4) OJ No L 226, 29. 8. 1984, p. 48.
(5) OJ No L 371, 31. 12. 1983, p. 39.

(b) the figures relating to herring in ICES division II a (EC zone), ICES sub-area IV and ICES division VII d are replaced by those set out in Annex I to this Regulation ;

(c) footnote (c) is deleted ;

(d) the following footnotes are added :

'(7a) Without prejudice to footnote (7) appearing in Annex II to this Regulation.

(7b) Excluding the Blackwater stock, in the maritime area situated in the Thames Estuary between Felixstowe and North Foreland within six miles of the baselines of the United Kingdom.'

4. Annex II is amended as follows :

(a) the figures for monkfish in division V b (EC zone) and sub-areas VI, VII and VIII (EC zone) are replaced by those appearing in Annex II to this Regulation ;

(b) the figures for herring laid down for division II a (EC zone) and for sub-area IV and for division VII d and the footnotes relating thereto are replaced by those set out in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

It shall apply with effect from 1 January 1984.

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

Done at Luxembourg, 7 June 1984.

For the Council

The President

P. BEREGOVOY

ANNEX I

Species	ICES or NAFO division	TAC 1984 (tonnes)	Shares available to the Community for 1984 (tonnes)
Monkfish	V b (EC zone) VI, VII, VIII (EC zone)	41 500 (*)	39 550
Herring	II a (EC zone) IV a (EC zone) IV b (EC zone) (7a)		100 000
Herring	IV c, VII d		55 000 (7b)

ANNEX II

Stock			Member State	1984 quota (tonnes)
Species	Geographical region	ICES or NAFO division		
Monkfish	Faroe, West of Scotland, Rockall, Irish Sea, West of Ireland and Porcupine Bank, Southern Ireland, Bristol Channel, English Channel, Bay of Biscay	V b (EC zone), VI, VII, VIII (EC zone)	Belgium	2 750
			Denmark	
			Germany	560
			Greece	
			France	25 930
			Ireland	2 750
			Italy	
			Luxembourg	
			Netherlands	560
			United Kingdom	7 000
			Available for Member States	
			EEC total	39 550
Herring	Norwegian Sea, Northern North Sea, Central North Sea	II a (EC zone), IV a (EC zone), IV b (EC zone) (7)	Belgium	0
			Denmark	28 780
			Germany	17 970
			Greece	
			France	1 410
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	22 820
			United Kingdom	29 020
			Available for Member States	
			EEC total	100 000 (4)
Herring	Southern North Sea, Eastern English Channel	IV c, VII d (5) (7)	Belgium	7 100
			Denmark	2 500
			Germany	1 700
			Greece	
			France	19 000
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	18 000
			United Kingdom	6 700
			Available for Member States	
			EEC total	55 000 (6)

(4) Each Member State must inform the Commission weekly of its landings of herring, distinguishing between ICES divisions II a, IV a and IV b.

(5) Excluding the Blackwater stock, in the maritime region of the Thames Estuary between Felixstowe and North Foreland within six miles from the United Kingdom baselines.

(6) Without prejudice to Article 1 (b) of Regulation (EEC) No 3702/83.

(7) However, until 31 July 1984 at the latest, Member States may fish in the area II a (EC zone), IV and VII d provided that the total catches made in that area do not exceed 34 300 tonnes.
This quantity forms part of the total quantity that may be fished in accordance with this Regulation. Catches made by Member States between 1 January 1984 and the date of entry into force of this Regulation, with the exception of those made under Regulation (EEC) No 3702/83 in division IV c, shall be counted against the quotas fixed by this Regulation.