COUNCIL REGULATION (EEC) No 3411/84

of 4 December 1984

allocating between the Member States the 1985 Community catch quotas in the regulatory area defined in the NAFO Convention

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 Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries, hereinafter referred to as 'the NAFO Convention,' was approved by the Council in its Regulation (EEC) No 3179/78 (2);

Whereas the NAFO Convention entered into force on 1 January 1979;

Whereas the Fisheries Commission of the North-West Atlantic Fisheries Organization adopted on 14 September 1984 a proposal establishing limitations for catches of certain species in the regulatory area for 1985 which became a measure binding upon the Community on 24 November 1984;

Whereas it is the responsibility of the Community to take appropriate steps to ensure compliance by Community vessels with the said measure;

Whereas, under the terms of Article 3 of Regulation (EEC) No 170/83, it is incumbent upon the Council to establish the total allowable catches by stock or group of stocks, the share available for the Community and also the specific conditions under which the catches must be made; whereas, under the terms of Article 4 of the same Regulation, the share available for the Community is allocated between the Member States;

Whereas the NAFO Commission proposal on squid, made on 14 September 1984, does not provide for specific quotas for Canada and the Community; whereas the Community should therefore establish a quota for its own fishermen at a level which takes account both of the TAC proposed by NAFO for the entire stock and of the interests of Community fishermen;

Whereas information about catches by Community vessels should be made available to their respective Member States and to the Commission in order to ensure that these quotas are complied with,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, catches of the species mentioned in Annex I, by vessels flying the flag of a Member State in the regulatory area as defined in Article 1 (2) of the NAFO Convention, shall be limited, within the parts of the regulatory area referred to in the said Annex, to the quotas set out therein.

2. By-catches of the species referred to in Annex I taken in those areas in which no allocation for a directed fishery is provided by this Regulation shall not exceed for each of the species on board the vessel, listed in Annex I, 2 500 kilograms or 10 % by weight of all fish on board the vessel, whichever is the greater.

Article 2

1. Vessels fishing in the area referred to in Article 1 shall keep a log-book in which the information specified in Annex II is to be entered.

2. Vessels fishing in the area referred to in Article 1 shall transmit to the authorities of their flag State by the 16th day of each month in respect of the first half of that month and by the first day of each month in respect of the second half of the preceding month, reports concerning their catches in the said area. Such reports shall give catches in tonnes by species and quota area for the period covered by the report.

3. Vessels intending to fish in the regulatory area for a particular stock for which no quota has been allocated to the Community shall transmit to the authorities of their flag State notification of such an intention, at least 72 hours before starting to fish for an amount allocated to 'Others' for that stock, together, if possible, with an estimate of the projected catch. Vessels engaging in such a fishery shall transmit to the authorities of their flag State reports of catches from that stock, at 48-hour intervals.

(1) OJ No L 24, 27. 1. 1983, p. 1.
(2) OJ No L 378, 30. 12. 1978, p. 1.

Article 3

1. Member States shall transmit regularly to the Commission the reports of vessels flying their flag which have been made in accordance with Article 2 (2). Reports received in respect of the first half of each month shall be transmitted to the Commission by the 20th day of the same month and those received in respect of the second half of each month shall be transmitted by the fifth day of the following month.

2. Member States shall transmit without delay to the Commission information received in accordance with Article 2 (3).

3. Member States shall transmit to the Commission by the 20th day of each month information concerning the landings made during the previous month by vessels flying their flag fishing in the area referred to in Article 1.

Article 4

Member States shall inform the Commission of all vessels flying their flag which intend to engage in fishing or in the processing of sea-fish in the area referred to in Article 1 at least 30 days before the intended commencement of such activity. This information shall include :

(a) name of the vessel ;

(b) official number of the vessel registered by the appropriate national authorities ;

(c) home port of the vessel ;

(d) name of owner or charterer of the vessel ;

(e) a declaration that the master has been provided with a copy of the regulations in force in the regulatory area ;

(f) principal target species of the vessel while fishing within the regulatory area ;

(g) sub-areas where the vessel will be expected to fish.

Article 5

1. When informed by the Executive Secretary of the North-West Atlantic Fisheries Organization that one of the quotas referred to in Article 2 (3) has been fully utilized, the Commission shall so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock concerned shall cease within three working days of the date of receipt by the Commission of the information from the Executive Secretary.

2. If the Commission has reason to believe, on the basis of the information received from the Member States, that the quota concerned has been fully utilized, it shall, without waiting for the notification from the Executive Secretary, so inform the Member States, which shall take appropriate measures to ensure that fishing by vessels flying their flag for the stock in question shall cease without delay.

Article 6

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

It shall apply from 1 January to 31 December 1985.

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

Done at Brussels, 4 December 1984.

For the Council

The President

P. O'TOOLE

ANNEX I

Catch quotas for the period 1 January to 31 December 1985

(tonnes)

Species	NAFO division	Quotas	
Cod	3 NO	EEC	250
		of which France	250
	3 M	EEC	2 405
		of which Germany	700
		France	300
		United Kingdom	1 405
American plaice	3 LNO	EEC	625 (2)
		of which France	625 (2)
	3 M	EEC	500 (1)
Yellowtail flounder	3 LNO	EEC	300
		of which France	300
Redfish	3 M	EEC	1 200
		of which Germany	200
		United Kingdom	1 000
	3 LN	EEC	150 (1)
Witch	3 NO	EEC	50 (1)
		of which France	50 (1)
Squid (Illex)	3 + 4	EEC	9 750 (2)
		of which Germany	3 900 (2)
		France	3 650 (2)
		Italy	2 200 (2)
Capelin	3 LNO	EEC	0

(1) This quota has not been allocated exclusively to Community vessels but to all Contracting Parties to NAFO having no specific allocation, including the Community. Fishing by Community vessels shall thus be suspended once the Community has been informed that the total quota has been exhausted.

(2) Less any quantity taken by Community vessels in the parts of NAFO sub-areas falling within areas of national fisheries jurisdiction.

ANNEX II

Items of information to appear in the log-book

Information	Code
Vessel name	01
Vessel nationality	02
Vessel registration number	03
Registration port	04
Type of gear used (daily)	10
Type of gear	2 (1)
Date :	
— day	20
— month	21
— year	22
Position :	
— latitude	31
— longitude	32
— statistical area	33
Number of hauls during the 24-hour period (2)	40
Number of hours gear-fished during the 24-hour period (2)	41
Species names	2 (1)
Daily catch of each species (tonnes live weight)	50
Daily catch of each species for human consumption in the form of fish	61
Daily catch of each species for reduction	62
Daily discard of each species	63
Place(s) of transhipment	70
Date(s) of transhipment	71
Master's signature	80

(1) Codes to be completed by one of the items of information given in the second part of this Annex.

(2) When two or more types of gear are used in the same 24-hour period, records should be separate for the different types.

Standard FAO abbreviations for main species

Abbreviation	Species	Abbreviation	Species
ALE	Alewife	MEN	Atlantic menhaden
ARG	Atlantic argentine	MIX	Mixed species
BUT	Atlantic butterfish	MOL	Molluscs
CAP	Capelin	PEL	Pelagic fish (not specified)
CAT	Wolffish (= catfish)	PLA	American plaice
COD	Atlantic cod	POK	Pollock (= saithe)
CRA	Crabs	RED	Atlantic redfish
CRU	Crustaceans	RNG	Roundnose grenadier
DOG	Dogfish	SAL	Atlantic salmon
FLW	Winter flounder	SAU	Atlantic saury
FLX	Flatfish (not specified)	SCA	Sea scallops
GHL	Greenland halibut	SHA	Sharks
GRC	Greenland cod	SHR	Shrimps
GRO	Groundfish (not specified)	SKA	Skate (not specified)
HAD	Haddock	SQU	Squid
HAL	Atlantic halibut	SWO	Swordfish
HER	Atlantic herring	SWX	Seaweed
HKR	Red hake	TUN	Tuna
HKS	Silver hake	URC	American sea urchin
HKW	White hake	USK	Cusk (= tusk)
INV	Shellfish (not specified)	VFF	Finfish (not specified)
LOB	Northern lobster	WIT	Witch flounder
MAC	Atlantic mackerel	YEL	Yellowtail flounder

Standard FAO abbreviations for gear

Abbreviations	Gear
OTB	Bottom otter trawl (side or stern not specified)
OTB 1	Bottom otter trawl (side)
OTB 2	Bottom otter trawl (stern)
OTM	Midwater otter trawl (side or stern not specified)
OTM 1	Midwater otter trawl (side)
OTM 2	Midwater otter trawl (stern)
PTB	Bottom pair trawl (two boats)
PTM	Midwater pair trawl (two boats)
—	Shrimp trawl (now included in bottom otter trawl categories)
SDN	Danish seines
SSC	Scottish seines
SPR	Pair seine (two boats)
SB	Beach seines
PS	Purse seines
GN	Gillnets (not specified)
GNS	Gillnets (set)
GND	Gillnets (drift)
LL	Longlines (set or drift not specified)
LLS	Longlines (set)
LLD	Longlines (drift)
LHP	Handlines and pole-lines
LHM	Handlines and pole-lines (mechanized)
LTL	Troll lines
FIX	Traps (not specified)
FPN	Uncovered pound nets
FPO	Covered pots and fyke nets
FWR	Barriers, fences, weirs, etc.
DRB	Boat dredges
DRH	Hand dredges (e.g. rakes and tongs)
HAR	Harpoons
MIS	Miscellaneous gears
NK	Gears not known