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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2386/98

of 3 November 1998

amending Regulation (EC) No 45/98 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture [1], and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 45/98 [2] fixes, for certain fish stocks and groups of fish stocks, the TACs for 1998 and certain conditions under which they may be fished;

Whereas scientific opinion indicates that cod caught in the North Sea (ICES Sub-area IV) and in the eastern Channel (ICES Division VIId) belong to the same stock;

Whereas quotas of cod which may be taken by Member States are defined separately for the North Sea and for an area which includes the eastern Channel;

Whereas some Member States are experiencing, during 1998, large catches of cod in the eastern Channel, which may lead to large-scale discarding of this species when national quotas for this area become exhausted;

Whereas small quantities of cod included in the quotas for the North Sea taken in the eastern Channel will have no adverse effects on the stock of cod from which they are taken;

Whereas Regulation (EC) No 45/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation shall replace the corresponding elements of Annex I to Regulation (EC) No 45/98.

Article 2

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

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

Done at Brussels, 3 November 1998.

For the Council
The President
B. PRAMMER

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[1] OJ L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.
[2] OJ L 12, 19. 1. 1998, p. 1. Regulation as last amended by Commission Regulation (EC) No 1957/98 (OJ L 254, 16. 9. 1998, p. 3).

ANNEX

'**Species:** Cod *Gadus morhua*		**Zone:** IIa (1), North Sea
België/Belgique	4 460 (3)	(1) Community waters
Danmark	25 610	(2) Of which no more than 60 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway
Deutschland	16 240	(3) Of which no more than 17 tonnes may be fished in ICES Division VIId
Ελλάδα		(4) Of which no more than 21 tonnes may be fished in ICES Division VIId
España		(5) Of which no more than 54 tonnes may be fished in ICES Division VIId
France	5 510 (4)	(6) Of which no more than 220 tonnes may be fished in ICES Division VIId'
Ireland		
Italia		
Luxembourg		
Nederland	14 470 (5)	
Österreich		
Portugal		
Suomi/Finland		
Sverige	170	
United Kingdom	58 740 (6)	
EC	125 200 (2)	
TAC	140 000	