COUNCIL REGULATION (EC) No 47/98

of 19 December 1997

allocating, for 1998, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) 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 the Community and Norway have held consultations on their mutual fishing rights for 1998, and in particular the allocation of certain catch quotas to Community vessels in the Norwegian fishing zone;

Whereas, in accordance with Articles 96 and 124 of the 1994 Act of Accession, fisheries agreements concluded by the Republic of Finland and the Kingdom of Sweden with third countries are managed by the Community;

Whereas, in accordance with the procedure provided for in the Agreement on fisheries between the Kingdom of Sweden and the Kingdom of Norway of 9 December 1976, the Community, on behalf of Sweden, has held consultations with Norway concerning their fishing rights for 1998;

Whereas, to ensure efficient management of the catch possibilities available, they should be allocated among the Member States as quotas in accordance with Article 8 of Council Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy [2];

Whereas no agreement has been reached with Norway on whether the catch possibilities available should be subject to the provisions of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas [3];

Whereas, for imperative reasons of common interest, this Regulation will apply from 1 January 1998,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1998, vessels flying the flag of a Member State are hereby authorized to make catches:

— in waters falling within the Norwegian exclusive economic zone north of 62°00′N or within the fishing zone around Jan Mayen, and within the quota limits set out in Annex I;

— in waters falling within the Norwegian exclusive economic zone south of 62°00′N, and within the quota limits set out in Annex II.

Article 2

Fishing quotas set out in Annexes I and II shall not be subject to the conditions laid down in Articles 2, 3 and 5(2) of Regulation (EC) No 847/96.

Article 3

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

It shall apply from 1 January 1998.

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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 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2205/97 (OJ L 304, 7. 11. 1997, p. 1).

[3] OJ L 115, 9. 5. 1996, p. 3.

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

Done at Brussels, 19 December 1997.

For the Council

The President

F. BODEN

ANNEX I

Allocation of Community catch quotas in Norwegian waters for 1998, as referred to in Article 1

(Norwegian waters north of 62°00′ N)

(in metric tonnes, fresh round weight)

Species	ICES division	Community catch quotas	Quotas allocated to Member States	
Cod	I, II	27 080	France	3 003
			Germany	3 272
			United Kingdom	12 695
			Spain	3 650
			Portugal	3 650
			Ireland	405
			Greece	405
Haddock	I, II	2 500	France	322
			Germany	534
			United Kingdom	1 644
Saithe	I, II	4 000	France	515
			Germany	3 200
			United Kingdom	285
Redfish	I, II	3 500 (1)	France	220
			Germany	1 880
			United Kingdom	400
			Spain	190
			Portugal	810
Greenland halibut	I, II	100	Germany	50
			United Kingdom	50
Blue whiting	II	1 000	France	500
			Germany	500 (3)
Other species (as by-catches)	I, II	450	France	60
			Germany	150
			United Kingdom	240
Mackerel	IIa	12 020 (2)	Denmark	12 020

(1) Should Norway implement a prohibition against a directed fishery for redfish in areas north of 70° N, such a restriction shall also apply to Community vessels fishing under this quota.

(2) Of which 12 020 tonnes may be fished in area ICES Division IVa, and Norway may fish up to 60 000 tonnes in the same area from the TAC fixed for the area north of 62°00′ N.

(3) Ad hoc solution for 1998.

ANNEX II

Allocation for Community catch quotas in Norwegian waters for 1998, as referred to in Article 1

(Norwegian waters south of 62°00'N)

(in metric tonnes, fresh round weight)

Species	ICES Division	Community catch quotas	Quotas allocated to Member States	
Norway pout (1)	IV	50 000	Denmark United Kingdom	47 500 (2) 2 500 (3)
Sandeel	IV	150 000	Denmark United Kingdom	142 500 (2) 7 500 (3)
Shrimp	IV	1 265	Denmark Sweden	1 080 185 (4)
Other species	IV	11 000	Denmark United Kingdom Germany Belgium France Netherlands Sweden	5 500 4 125 620 60 255 440 p.m. (5)
Cod	IV	500	Sweden	500
Haddock	IV	930	Sweden	930
Saithe	IV	1 150	Sweden	1 150
Pollack, whiting	IV	190	Sweden	190
Herring	IV	850	Sweden	850 (4)
Mackerel	IV	240	Sweden	240 (4)
Industrial species	IV	800	Sweden	800 (4) (6)

(1) Including blue whiting and inextricably mixed horsemackerel.
(2) Within a total quota for Norway pout and sandeel up to 38 000 tonnes may be interchanged upon request.
(3) Within a total quota for Norway pout and sandeel up to 2 000 tonnes may be interchanged upon request.
(4) By-catches of cod, haddock, saithe, pollack and whiting to be counted against the quotas for these species.
(5) Quota allocated by Norway to Sweden of 'other species' at a traditional level.
(6) Of which no more than 400 tonnes of horsemackerel.