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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1909/95**of 24 July 1995****amending, for the 17th time, Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas under Articles 2 and 4 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾, the Council must adopt, in the light of available scientific opinion, the conservation measures needed to guarantee the rational and responsible exploitation of living marine aquatic resources on a sustainable basis; whereas, to this end, the Council may establish technical measures regarding fishing gear and methods of using it;

Whereas it is necessary to define principles and certain procedures for establishing these technical measures at Community level, so that each Member State can manage fishing activities in the maritime waters under its jurisdiction or sovereignty;

Whereas Council Regulation (EEC) No 3094/86 ⁽⁴⁾ lays down the general technical rules for catching and landing biological resources in the waters which it defines;

Whereas, in the light of scientific opinion certain derogations from technical measures established in Annex I to Regulation (EEC) No 3094/86, decided on an annual basis, may now be permanently incorporated into that Annex;

Whereas Regulation (EEC) No 3094/86 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I of Regulation (EEC) No 3094/86 shall be amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following 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, 24 July 1995.

For the Council

The President

P. SOLBES MIRA

⁽¹⁾ OJ No C 348, 9. 12. 1994, p. 7.

⁽²⁾ OJ No C 56, 6. 3. 1995.

⁽³⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Regulation (EC) No 1796/94 (OJ No L 187, of 22. 7. 1994, p. 1).

ANNEX

In Annex I:

(a) the sixth, seventh and eighth headings of the section 'Region 1 and 2' are replaced by the following text:

ICES sub-areas II, IV, V and VI north of latitude 56° N	(11)	90 (12)	Whiting (<i>merlangius merlangus</i>)	70 % (13)	100 of which not more than 10 % of cod, haddock and saithe and not more than 10 % of plaice
Entire region except Skagerrak and Kattegat		32	Mackerel (<i>Scomber scombrus</i>)	50	10
			Horse mackerel (<i>Trachurus trachurus</i>)	50	
			Herring (<i>Clupea harengus</i>)	50	
			Pelagic cephalopods	50	
			Pilchard (<i>Sardina pilchardus</i>)	50	
			Blue whiting (*) (<i>Micromesistius poutassou</i>)	50	
Entire region except Skagerrak and Kattegat		35	Prawn (<i>Pandalus</i> spp. except <i>Pandalus montagui</i>)	30	50

(*) Blue whiting is not an authorized target species in the area bounded to the north by latitude 52° 30' N and to the east by latitude 7° 00' W.

(b) footnotes (14), (15) and (16) become (11), (12) and (13).