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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1043/94**of 12 April 1994**

amending Regulation (EC) No 3680/93 laying down certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries

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 Regulation (EC) No 3680/93 ⁽²⁾ lays down quotas for Member States in the NAFO Regulatory Area for 1994;

Whereas these quotas corresponded to the proposals adopted by NAFO at its annual meeting of 1993;

Whereas the NAFO Fisheries Commission, at its special meeting of February 1994, adopted a proposal for cod fishery in NAFO division 3NO for 1994, in the light of scientific evidence showing that a very high proportion of the biomass of this stock is undersized fish;

Whereas the NAFO Fisheries Commission proposed a derogation to the general 130 mm mesh size rule for nets made of polyamide;

Whereas Regulation (EC) No 3680/93 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3680/93 is hereby amended as follows:

1. In Article 4 (1), the following shall be added after the second paragraph:

'For the nets made of polyamide fibres the equivalent minimum mesh size shall be 120 mm. Vessels using these materials shall have aboard certificates, issued by the competent authorities of the flag Member State, certifying that the fibres in the net used are made of polyamide.'

2. The first page of Annex I shall be replaced by the Annex 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*.

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

Done at Luxembourg, 12 April 1994.

For the Council

The President

F. CONSTANTINOU

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 341, 31. 12. 1993, p. 42.

ANNEX

ANNEX I

Stock			Member State	1994 quota (tonnes)
Species	Geographical region	Zone		
Cod	North-west Atlantic	NAFO 2 J + 3 KL	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	
			EC total	0
Cod	North-west Atlantic	NAFO 3 NO ⁽¹⁾	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	5 1 832 28 345 3
			EC total	2 213
Cod	North-west Atlantic	NAFO 3 M	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	513 1 574 221 2 155 1 022
			EC total	5 485

⁽¹⁾ There will be no direct fishing on this species, which will be caught only as a by-catch, without prejudice to the rules set out in Article 4 (3) hereof.