

Proposal for a Council Regulation on catch declarations by vessels flying the flag of a Member State of the Community operating in the fishing zones of certain developing countries with which the Community has concluded fisheries agreements

(Submitted by the Commission to the Council on 22 October 1982)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Community has concluded with a number of developing countries fisheries agreements based on the principle of financial compensation for fishing rights conceded;

Whereas these agreements, which involve a considerable financial commitment on the part of the Community, cannot be properly managed unless the Commission is informed of the exact results of fishing operations by vessels flying the flag of a Member State of the Community in waters under the jurisdiction of the countries with which agreements have been signed;

Whereas the catches must be notified in such a way as to keep the Commission promptly informed of the activities of vessels to ensure that the permanent monitoring of the agreements is as effective as possible having due regard to the rhythm of operations, which may prevent the making of written reports at the required intervals;

Whereas implementing rules for this Regulation should be adopted by a rapid procedure permitting proper management of the agreements; whereas, consequently, use should be made of the management committee procedure for fisheries agreements and conventions introduced by Council Regulation (EEC) No .../82 of 1982 laying down procedures for the application of fisheries agreements between the Community and non-member countries and of international conventions for the conservation and management of living marine resources to which the Community is a Contracting Party,

HAD ADOPTED THIS REGULATION:

Article 1

Masters of vessels flying the flag of a Member State shall inform the Commission in accordance with the

detailed rules provided for in this Regulation of the results of their fishing operations in the fishing zones of developing countries with which the Commission has concluded or applies a fisheries agreement.

The obligations arising directly from these fishery agreements shall not be affected by the provisions of this Regulation.

Article 2

1. Catch declarations shall be made out on the form set out in Annex I.

The declarations shall cover one calendar month and shall reach the Commission before the 10th day of the following month.

2. Nevertheless, if the rhythm of fishing operations so requires, each catch declaration may cover a period different from that referred to in paragraph 1 provided this period does not exceed 30 days. In this case the catch declarations shall reach the Commission at the latest on the fifth day after the end of the fishing trip.

3. Vessels which are not based in a port in the region in which they fish and all freezer vessels exceeding 200 grt shall, in addition, transmit to the Commission the information provided for in Annex II.

Article 3

In the case of vessels for which the obligations of this Regulation have not been met, the Commission may decide not to transmit fishing licence applications for the waters of one of the non-member countries referred to in Article 1 for a period of up to one year and, in cases of repetition of the infringement, to exclude the vessel for at least one year.

Article 4

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 8 of Regulation (EEC) No .../82.

Article 5

This Regulation shall enter into force on 1 January 1983.

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

ANNEX I

COMMISSION OF THE EUROPEAN COMMUNITIES
Directorate-General for Fisheries

CATCH DECLARATION
(EEC — Fisheries Agreement)

Month: _____
Year : _____

Name of vessel: _____ Method of fishing: _____ Engine power: _____
Nationality: _____ Port of landing: _____ Gross registered tonnage: _____
Equipment: _____ Consignor: _____ Licence No: _____

Date	Fishing zone		Number of fishing hours	Species fished (kg)				Remarks
	Longitude	Latitude				Other	Totals	
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
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21.								
22.								
23.								
24.								
25.								
26.								
27.								
28.								
29.								
30.								
31.								
Totals:								

ANNEX II

I. Information to be transmitted:

1. Date, hour and position each time the vessel enters or leaves the fishing zone of one of the countries referred to in Article 1.
2. Quantities by species of fishery product on board the vessel at the times referred to in point 1.
3. During the periods of activity in each of the fishing zones of the non-member countries referred to in Article 1: on the first, 11th and 21st day of the month, the quantities in kilograms of each species caught since the previous transmission.
4. With each message the name and call sign of the vessel and the name of its skipper as well as the date and time of the message.

II. List of species or groups of species and the codes to be used:

Code to be used

Sole	SOL
Hake	HKC
Pandoras	PAX
Mackerel	MAS
Horse-mackerel	HMC
Sardine/Pilchard	PIL
Sardinella	SIX
Tuna	YFT
Octopus	OCT
Cuttlefish	CTL
Prawns	DCP
Other demersal species	GRO
Other pelagic species	PEL
Other cephalopods	CEP
Other crustaceans	CRA
Bivalves	GAS
Sponges	SPO

- III. The information is to be transmitted to the Commission of the European Communities, Brussels, Belgium (telex 241 89 FISEU-B).
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