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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.11.1999
COM(1999) 637 final

Proposal for a

COUNCIL REGULATION

amending for the second time Regulation (EC) No. 48/1999 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1999 and certain conditions under which they may be fished

(presented by the Commission)

EXPLANATORY MEMORANDUM

The TACs for the stocks of Norway lobster in the North Sea and in the Skagerrak, the Kattegat and ICES area IIIbcd and of sprat in ICES areas IIa (EC waters) and North Sea (EC waters), which are subject to a precautionary TAC, appear insufficient to maintain exploitation for the whole of 1999. In accordance with the provisions laid down in Regulation (EC) No 847/96¹, precautionary TACs may be reviewed on request by a Member State and under conditions stipulated in Article 3(1) therein. The United Kingdom and Denmark have presented requests to raise the TACs in the North Sea and in Skagerrak and Kattegat, respectively, giving the necessary data to justify the application. Moreover, the observed large abundance of cod in the Kattegat is likely to result in massive discarding of fish following an early exhaustion of the TAC. According to the most recent scientific evidence, catches from this stock may be increased in 1999 while still keeping with the conservation principles underlying the current TAC.

Moreover, within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Poland for 1999, the Community share for Baltic sprat have been modified.

This proposal intends to address these matters by modifying Council Regulation (EC) N° 48/1999.

¹ OJ L115 of 9.5.1996, p. 3.

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amending for the second time Regulation (EC) No. 48/1999 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1999 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 (EEC) No. 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture², and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas :

- (1) Regulation (EC) No.48/1999³ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1999 and certain conditions under which they may be fished;
- (2) In accordance with the provisions laid down in Regulation (EC) No 847/96 of the Council of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas⁴, precautionary TACs may be raised under conditions stipulated in Article 3(1) therein; whereas those conditions are satisfied for the stocks of Norway lobster in the North Sea and in the Skagerrak, the Kattegat and ICES area IIIbcd and of sprat in ICES areas IIa (EC waters) and North Sea (EC waters);
- (3) According to the most recent scientific evidence, the TAC for cod in the Kattegat for 1999 may be increased while still keeping with conservation principles;
- (4) Within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Poland for 1999, the Community share for Baltic sprat have been modified;
- (5) Council Regulation (EC) No 48/1999 should therefore be amended accordingly,

² OJ L 389 of 31.12.1992, p. 1. Regulation as amended by the 1994 Act of Accession.

³ OJ L 13 of 18.01.1999, p. 1. Regulation as amended by Regulation (EC) 1570/1999 (OJ L 187 20.07.1999, p. 5).

⁴ OJ L 115 of 9.5.1996, p. 3.

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation replaces the corresponding elements of the Annex to Regulation (EC) No 48/1999.

Article 2

This Regulation shall enter into force on the 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,

For the Council
The President

Annex

Species: Cod <i>Gadus morhua</i>	Zone: Kattegat
België / Belgique Danmark 4 320 Deutschland 90 Ellada España France Ireland Italia Luxembourg Nederland Österreich Portugal Suomi/Finland Sverige 2 590 United Kingdom EC 7 000 TAC 7 000	
Species: Norway lobster <i>Nephrops norvegicus</i>	Zone: Skagerrak and Kattegat (1), IIIbcd (1)
België / Belgique Danmark 3 675 (2) Deutschland 10 (3) Ellada España France Ireland Italia Luxembourg Nederland Österreich Portugal Suomi/Finland Sverige 1 315 (2) United Kingdom EC 5 000 TAC 5 000	(1) Community waters (2) No fishing of this quota may take place, in the Skagerrak, within 4 miles of the baselines of the Kingdom of Norway (3) No fishing of this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	Ila (1), North Sea (1)
België / Belgique	900	(1)	Community waters
Danmark	900		
Deutschland	15		
Ellada			
España			
France	25		
Ireland			
Italia			
Luxembourg			
Nederland	465		
Österreich			
Portugal			
Suomi/Finland			
Sverige			
United Kingdom	14 895		
EC	17 200		
TAC	17 200		
Species:	Sprat <i>Sprattus sprattus</i>	Zone:	Ila (1), North Sea (1)
België / Belgique	2 370	(1)	Community waters
Danmark	187 380	(2)	Including sandeel
Deutschland	2 370		
Ellada			
España			
France	2 370		
Ireland			
Italia			
Luxembourg			
Nederland	2 370		
Österreich			
Portugal			
Suomi/Finland			
Sverige	1 330 (2)		
United Kingdom	7 810		
EC	206 000		
TAC	225 000		

Species: Sprat <i>Sprattus sprattus</i>		Zone: IIIbcd (1)
België / Belgique		(1) Community waters
Danmark	48064	(2) Of which no more than 8000 t may be fished in the Estonian zone, no more than
Deutschland	30450	6000 t in the Latvian zone, and no more than 4000 t in the Lithuanian zone
Ellada		(3) Whenever consumption of this quota had reached a level of 105917 t, the remainder
España		4000 tonnes may only be taken in waters under the sovereignty or jurisdiction of
France		the Kingdom of Sweden
Ireland		
Italia		
Luxembourg		
Nederland		
Österreich		
Portugal		
Suomi/Finland	25160	
Sverige	109916 (3)	
United Kingdom		
EC	213590 (2)	
TAC	468000	