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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3746/83**of 20 December 1983****laying down for 1984 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, and in particular Articles 3 and 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and Norway have held consultations in accordance with the procedure provided for in Articles 2 and 7 of the Fisheries Agreement between the European Economic Community and the Kingdom of Norway ⁽²⁾ concerning mutual fishing rights in 1984 and the management of joint biological resources;

Whereas, in the course of these consultations, the delegations agreed to recommend to their respective authorities fixing certain fishing quotas for 1984 for the vessels of the other party;

Whereas the Agreement of 19 December 1966 between Denmark, Norway and Sweden on mutual access to fishing in Skagerrak and Kattegat provides that each Party shall grant access to fishing by vessels of the other parties within its fishing zone in Skagerrak and part of Kattegat up to four nautical miles from the base-lines;

Whereas the Fishery Agreement of 1964 between the United Kingdom and Norway provides that Norwegian vessels are authorized to fish for dogfish

and basking shark in certain areas between six and 12 nautical miles from the base-lines of the United Kingdom;

Whereas it is necessary to take the appropriate measures to implement the results of the consultations held for 1984 between the delegations of the Community and Norway in order to avoid an interruption of mutual fisheries at 31 December 1983,

HAS ADOPTED THIS REGULATION:

Article 1

1. Fishing by vessels flying the flag of Norway in the 200-mile zone of the Member States in the North Sea, Skagerrak, Kattegat, the Baltic Sea, the Labrador Sea, Davis Strait, Baffin Bay and the Atlantic Ocean north of 43°00'N shall be authorized until 31 December 1984 for the species referred to in Annex I within the geographical and quantitative limits laid down therein and in accordance with the provisions laid down in this Regulation.

2. Fishing authorized under paragraph 1 shall be limited to the parts of the 200-mile fishing zone lying seawards of 12 nautical miles from the base-lines which the fishing zones of Member States are measured, with the following exceptions:

- (a) fishing in the Skagerrak is allowed seawards of four nautical miles from the base-lines of Denmark;
- (b) fishing for dogfish and basking shark is allowed in the areas defined in Annex II.

3. Fishing in the parts of ICES division III a, limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden, is not subject to quantitative limitations except for mackerel and saithe.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 226, 29. 8. 1980, p. 48.

4. Notwithstanding paragraph 1, unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

5. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

Article 2

1. Vessels fishing under the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in the zones referred to in that Article.

2. Vessels referred to in paragraph 1 shall keep a log-book in which the information set out in Annex III is to be entered.

3. Vessels referred to in paragraph 1 except those fishing in ICES division III a shall transmit to the Commission, according to the rules set out in Annex IV, the information set out in that Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of the vessel on both sides.

Article 3

1. Fishing within NAFO sub-area 1 and ICES sub-areas XIV and V under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence.

2. Fishing within all the other ICES sub-areas by vessels exceeding 200 GRT under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence.

3. The issue of licences for the purpose of paragraph 1 shall be subject to the condition that the number of licences shall not exceed:

(a) 17 for fishing Greenland halibut and halibut in ICES sub-area XIV and division V a and in NAFO sub-area 1. The number of vessels fishing simultaneously may not exceed 10 in ICES sub-area XIV and division V a and 13 in NAFO sub-area 1;

(b) 23 for fishing Northern deep-water prawn (*Pandalus borealis*) in ICES sub-area XIV and division V a and in NAFO sub-area 1. The number of vessels fishing simultaneously may not exceed 18 in ICES sub-area XIV and division V a and 12 in NAFO sub-area 1.

4. The Commission shall issue the licences to fish, provided for in paragraph 2, to every ship for which a licence is required by the Norwegian authorities.

5. Each licence shall be valid for one vessel only. When two or more vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

6. Licences as provided for in paragraph 1 may be cancelled in favour of the issue of new licences. The cancellation shall take effect from the date of the surrender of the licence to the Commission.

7. In the event that there has been failure to comply with the obligations laid down in this Regulation, the licence shall be withdrawn.

8. No licence shall be issued for a maximum period of 12 months in respect of vessels for which the obligations laid down in this Regulation have not been observed.

9. Licences issued in pursuance of Regulation (EEC) No 1009/83 ⁽¹⁾ and valid until 31 December 1983 shall remain valid until 29 February 1984 at the latest if so requested by the Norwegian authorities.

Article 4

When an application for a licence is submitted to the Commission, the following information shall be supplied:

- (a) name of vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;

⁽¹⁾ OJ No L 115, 30. 4. 1983, p. 11.

- (i) intended method of fishing;
- (j) intended area of fishing;
- (k) species for which it is intended to fish;
- (l) period for which a licence is required.

Article 5

Fishing within the quotas referred to in Article 1 for blue ling, ling, tusk and Greenland halibut and halibut is only allowed by use of the method commonly known as 'long-lining'.

Article 6

The use of trawl and purse seine for the capture of pelagic species is prohibited in Skagerrak from Saturday midnight to Sunday midnight.

Article 7

The competent authorities of the Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 8

Where an infringement is duly established the Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action they have taken.

Article 9

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 to 31 December 1984.

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

Done at Brussels, 20 December 1983.

For the Council

The President

N. AKRITIDIS

ANNEX I

Fishing quotas

Species	Area within which fishing is authorized	Quantity (tonnes)
Mackerel	ICES VI a ⁽¹⁾ + VII d, e, f, h, + II a	29 000
Herring	ICES VI a ⁽¹⁾	6 400
Sprat	ICES IV	25 000
Cod	ICES IV	10 000
Haddock	ICES IV	15 000
Saithe	ICES IV and Skagerrak ⁽²⁾	55 000
Whiting	ICES IV	6 000
Plaice	ICES IV	7 000
Mackerel	ICES IV, III a	23 800
Sand-eel, Norway pout, blue whiting	ICES IV	50 000 ⁽³⁾
Blue whiting	ICES II, IV a, VI a ⁽⁴⁾ , VI b, VII ⁽⁴⁾ , XIV	190 000 ⁽³⁾
Blue ling	ICES IV, V b, VI, VII, II a	1 000 ⁽⁶⁾
Ling and tusk	ICES IV, V b, VI, VII, II a	22 000 ⁽⁶⁾ ⁽⁷⁾
Dogfish	ICES IV, VI, VII	3 000 ⁽⁸⁾
Basking shark ⁽⁹⁾	ICES IV, VI, VII	800 ⁽⁸⁾
Porbeagle	ICES IV, VI, VII	500
Northern deep-water prawn (Pandalus borealis)	NAFO 1 ⁽¹⁰⁾ ICES XIV + V a	450 2 000
Greenland halibut	NAFO 1 ICES XIV + V a	500 ⁽¹¹⁾ 500 ⁽¹¹⁾
Halibut	NAFO 1	200 ⁽¹¹⁾
Shrimp	ICES IV	600
Other species	ICES IV	5 000

⁽¹⁾ North of 56° 30'N.

⁽²⁾ Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.

⁽³⁾ Of which sand-eel alone not more than 50 000 tonnes or Norway pout and blue whiting together not more than 40 000 tonnes. Up to 10 000 tonnes of the Norway pout quota may be fished in ICES VI a north of 56° 30'N. However, this quantity should be deducted from the quota of sand-eel, Norway pout and blue whiting in ICES IV.

⁽⁴⁾ West of 12° W.

⁽⁵⁾ Of which no more than 40 000 tonnes may be fished in ICES division IV a.

⁽⁶⁾ Of which a by-catch of 20 % of cod per ship, at any moment, is authorized in ICES sub-areas VI and VII. However, this percentage may be exceeded in the first 24 hours following the beginning of the fishing on a specific ground. The total magnitude of by-catches should not exceed 1 000 tonnes.

⁽⁷⁾ Of which ling may be a maximum of 17 000 tonnes and tusk a maximum of 9 000 tonnes.

⁽⁸⁾ This quota does not include catches taken in the areas defined in Annex II.

⁽⁹⁾ Basking shark liver.

⁽¹⁰⁾ South of 68° N.

⁽¹¹⁾ By-catches of cod should not exceed 10 %.

*ANNEX II***Zone between six and 12 nautical miles from base-lines of the territorial sea of the United Kingdom**

- (a) *Fishing for dogfish*: the areas extending from a line due west of Ard an Runair (North Uist) northwards to a line due east of Start Point (Orkney) including the areas around the Flannan Islands, the Shetland Islands and Fair Isle and the off-lying islands of the St Kilda Group, North Rona and Sulisker, Sule Skerry and Stack Skerry;
- (b) *Fishing for basking sharks*: the same areas as for dogfish and also the area between a line due west of the Mull of Oa (Islay) and a line due west of Ard an Runair.

ANNEX III

- 1. The following details are to be entered in the log-book after each haul when fishing within the 200-nautical-mile fishing zone off the coasts of the Member States of the Community which is covered by exclusive Community rules on fisheries:
 - 1.1. the quantity (in kilograms) of each species caught;
 - 1.2. the date and the time of the haul;
 - 1.3. the geographical position in which the catches were made;
 - 1.4. the fishing method used;
 - 1.5. all radio messages sent in conformity with Annex IV.
- 2. The following log-book has to be used when fishing within NAFO sub-area 1 and ICES sub-areas XIV and V.

ANNEX IV

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows:
 - 1.1. On each occasion the vessel enters:
 - 1.1.1. the 200-nautical-mile fishing zone off the coasts of the Member States of the Community, or
 - 1.1.2. that part of sub-area 0 and 1 as defined by the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries situated under the jurisdiction of Denmark or Canada:
 - (a) the information specified under point 1.5 below;
 - (b) the quantity (in kilograms) of each species of fish in the hold;
 - (c) the date and NAFO sub-area or ICES sub-area within which the captain intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1.1 and 1.1.2 on a given day one communication shall suffice on first entry.
 - 1.2. On each occasion the vessel leaves:
 - 1.2.1. the zone referred to under 1.1.1:
 - (a) the information specified under 1.4 below;
 - (b) the quantity (in kilograms) of each species of fish in the hold;
 - (c) the quantity (in kilograms) of each species caught since the previous transmission;
 - (d) the ICES sub-area or NAFO sub-area in which the catches were taken;
 - (e) the quantity (in kilograms) of each species transferred to other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made;
 - (f) the quantity (in kilograms) of each species landed in a port of the Community since the vessel entered the zone;
 - 1.2.2. the zone referred to under 1.1.2:

information referred to under (a), (b), (c), (d), (e) and (f);

 - (g) the quantity (in kilograms) of discards specified by species since the previous transmission.
 - 1.3. A notice of leaving at least 48 hours prior to the vessel's scheduled exit from the zone referred to under 1.1.2 and ICES sub-area XIV.
 - 1.4. At three-day intervals, commencing on the third day after the vessel first enters the zones referred to under 1.1.1 when fishing for herring and at weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1.1 and 1.1.2 when fishing for all species other than herring:
 - (a) the information specified under 1.5 below;
 - (b) the quantity (in kilograms) of each species caught since the previous transmission;
 - (c) the ICES division or NAFO sub-area in which the catches were made.
 - 1.5.
 - (a) the name, call sign, identification numbers and letters of the vessel and the name of its master;
 - (b) the licence number if the vessel is under licence;
 - (c) the serial number of the message;
 - (d) identification of the type of message;
 - (e) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24 189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.
- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. <i>Name of radio station</i>	<i>Call sign of radio station</i>
Skagen	OXP
Blåvand	AXB
Rønne	OYE
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Prins Christians Sund	OZN Central Godthåb
Julianehåb	OXF Central Godthåb
Godthåb	OXI Central Godthåb
Holsteinsborg	OYS Central Godthåb
Godhavn	OZM Central Godthåb
Thorshavn	OXJ
Velferdsstasjon Færingerhamm	22 239
Bergen	LGN
Farsund	LGZ
Florø	LGL
Rogaland	LGQ
Tjøme	LGT
Ålesund	LGA

4. Form of communications

The information specified under point 1 concerning the fishing operations in the zones referred to under 1.1.1 and 1.1.2 shall contain the following elements, which shall be given in the following order:

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code:
 - message when entering one of the zones referred to under 1.1.1 and 1.1.2: 'IN',

- message when leaving one of the zones referred to under 1.1.1 and 1.1.2: 'OUT',
 - message when moving from one ICES sub-area to another: 'ICES',
 - weekly message: 'WKL',
 - three-day message: '2 WKL',
 - message concerning scheduled exit from the zone referred to under 1.1.2: 'NL',
 - the geographical position,
 - the ICES sub-area or NAFO sub-area in which fishing is expected to commence,
 - the date on which fishing is expected to commence,
 - the quantity (in kilograms) of each species of fish in the hold using the code mentioned in point 5,
 - the ICES division or NAFO sub-area in which the catches were made,
 - the quantity (in kilograms) of each species transferred to other vessels since the previous transmission,
 - the name and call sign of the vessel to which the transfer was made,
 - the quantity (in kilograms) of each species landed in a port of the Community since the previous transmission,
 - the name of the master,
 - the quantity (in kilograms) of each species discarded since the previous transmission using the code mentioned in point 5 only in the case of fisheries operations in the zones referred to under 1.1.2.
5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:
- A. Deep-water prawn (*Pandalus borealis*),
 - B. Hake (*Merluccius merluccius*),
 - C. Greenland halibut (*Reinhardtius hippoglossoides*),
 - D. Cod (*Gadus morhua*),
 - E. Haddock (*Melanogrammus aeglefinus*),
 - F. Halibut (*Hippoglossus hippoglossus*),
 - G. Mackerel (*Scomber scombrus*),
 - H. Horse mackerel (*Trachurus trachurus*),
 - I. Round-nose grenadier (*Coryphaenoides rupestris*),
 - J. Saithe (*Pollachius virens*),
 - K. Whiting (*Merlangus merlangus*),
 - L. Herring (*Clupea harengus*),
 - M. Sand-eel (*Ammodytes* spp),
 - N. Sprat (*Clupea sprattus*),
 - O. Plaice (*Pleuronectes platessa*),
 - P. Norway pout (*Trisopterus esmarkii*),
 - Q. Ling (*Molva molva*),
 - R. Other,
 - S. Shrimp (*Pandalidae*),
 - T. Anchovy (*Engraulis encrassicholus*),

-
- U. Redfish (*Sebastes* spp),
 - V. American plaice (*Hypoglossoides platessoides*),
 - W. Squid (*Illex*),
 - X. Yellowtail (*Limanda ferruginea*),
 - Y. Blue whiting (*Gadus poutassou*),
 - Z. Tuna (*Thunnidae*),
 - AA. Blue ling (*Molva dypterygia*),
 - BB. Tusk (*Brosme brosme*).
-

COUNCIL REGULATION (EEC) No 3747/83

of 20 December 1983

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, and in particular Articles 3, 4 and 11 thereof,

Having regard to the proposal from the Commission, Whereas the Community and Norway have consulted with each other on their mutual fishing rights for 1984 which provides *inter alia* for the allocation of certain catch quotas to Community vessels in the Norwegian fisheries zone;

Whereas it is the responsibility of the Community to allocate these catch quotas among fishermen from the Community;

Whereas, in order to ensure an equitable allocation of available fishing possibilities, these quotas should be allocated among the Member States of the Community;

Whereas information about actual catches should be made available in order to ensure that the allocation is respected,

HAS ADOPTED THIS REGULATION:

Article 1

1. Catches, under the Agreement on mutual fishing rights in 1984 between the Community and Norway,

by vessels flying the flag of a Member State in the waters falling within the Norwegian economic zone north of 62°00'N as well as within the fishery zone around Jan Mayen shall be limited for 1984 to the quota set out in Annex I.

2. Catches of the species mentioned in Annex II, under the Agreement on mutual fishing rights in 1984 between the Community and Norway, by vessels flying the flag of a Member State in the waters falling within the Norwegian economic zone and situated south of 62°00'N shall be limited for 1984 to the quotas set out in that Annex.

Article 2

Member States and captains of fishing vessels flying the flag of a Member State shall, with regard to fishing in the waters referred to in Article 1, comply with the provisions of Articles 3 to 9 of Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽²⁾, as amended by Regulation (EEC) No 1729/83 ⁽³⁾.

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 to 31 December 1984.

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

Done at Brussels, 20 December 1983.

For the Council

The President

N. AKRITIDIS

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1983, p. 14.

ANNEX I

Quantities referred to in Article 1 (1)

(Norwegian waters north of 62°00'N)

(tonnes — fresh round weight)

Species	ICES division	Quotas	Allocations	
Cod	I, II a and II b	7 500	France	1 185
			Germany	1 295
			United Kingdom	5 020
Haddock	I, II a and II b	2 200	France	280
			Germany	470
			United Kingdom	1 450
Saithe	I, II a and II b	6 000	France	770
			Germany	4 800
			United Kingdom	430
Redfish Sebastes mentella	I, II a and II b	2 000	Germany	1 380
			United Kingdom	400
			France	220
Sebastes marinus	I, II a and II b	3 000	Germany	2 060
			United Kingdom	600
			France	340
Greenland halibut	I, II a and II b	250	Germany	125
			United Kingdom	125
Blue whiting	II	2 000	France	2 000
			Germany	token entry ⁽¹⁾
Other species (as by-catches)	I, II a and II b	500	France	65
			Germany	170
			United Kingdom	265
Mackerel	II a	7 000	Denmark	7 000

⁽¹⁾ *Ad hoc* solution for 1984.

ANNEX II

Quantities referred to in Article 1 (2)

<i>(tonnes — fresh round weight)</i>			
Species	ICES division	Quotas	Allocations
Norway pout ⁽¹⁾	IV	50 000	Denmark 47 500 ⁽²⁾
			United Kingdom 2 500 ⁽³⁾
Sand-eel	IV	150 000	Denmark 142 500 ⁽²⁾
			United Kingdom 7 500 ⁽³⁾
Shrimps	IV	1 250	Denmark 1 250
Other species	IV	4 000	Denmark 2 000
			United Kingdom 1 500
			Germany
			Belgium
			France
			Netherlands } 500

⁽¹⁾ Including blue whiting.

⁽²⁾ Within a total quota for Norway pout and sand-eel up to 19 000 tonnes may be interchanged.

⁽³⁾ Within a total quota for Norway pout and sand-eel up to 1 000 tonnes may be interchanged.

COUNCIL REGULATION (EEC) No 3748/83

of 22 December 1983

opening, allocating and providing for the administration of Community tariff quotas for certain fishery products (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, in the context of its external relations regarding fisheries, it is in the Community's interest partially to suspend the Common Customs Tariff duties on a number of fishery products, within the limit of appropriate Community tariff quotas; whereas Community tariff quotas for 1984 should therefore be opened for round frozen redfish (*Sebastes spp*), round frozen cod (*Gadus morhua*), frozen cod fillets and herring flaps prepared or preserved in vinegar, presented in packings of a net capacity of 10 kilograms or more, falling within subheadings ex 03.01 B I f) 2, ex 03.01 B I h) 2, ex 03.01 B II b) 1 and ex 16.04 C II of the Common Customs Tariff; whereas eligibility to benefit from these quotas opened for products falling within subheadings ex 03.01 B I h) 2 and ex 03.01 B II b) 1 is subject to the presentation to the Community customs authorities of a certificate issued by the recognized authorities of the country of origin attesting that the products concerned come from fish belonging to the North Atlantic stocks which were fished with due regard for the international conventions on the conservation and management of fishery resources; whereas the certificates covering these products must also certify that the products presented come from cod of the *Gadus morhua* species;

Whereas, under Article 64 of the 1979 Act of Accession, the Hellenic Republic is required to apply the Common Customs Tariff duty in full or to commence the alignment of its tariff towards the Common Customs Tariff in respect of the products in question as from 1 January 1981; whereas it is therefore necessary that the tariff quotas in question should cover the requirements of that Member State during the quota period;

Whereas equal and continuous access to the quotas should be ensured for all importers and the rates for the said quotas should be applied without interruption to all imports until the quotas are used up; whereas, in the light of the principles outlined above, a Community tariff quota system based on an allocation between the Member States would seem to preserve the Community nature of the quotas; whereas, to reflect as closely as possible the actual development of the market in the products in question, the allocation should be in proportion to the requirements of the Member States, calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the quota year in question;

Whereas, however, the products in question of a particular origin, are not separately specified in the statistical nomenclatures; whereas it has therefore not yet been possible to obtain sufficiently precise and representative figures; whereas, therefore, part of these quotas should be assigned to the Community reserves, the remainder being allocated among the Member States in proportion to their forecast import requirements; whereas, for these products, the initial percentage shares in the quota can thus be as follows:

	ex 03.01 B I f) 2 ex 03.01 B I h) 2 (6 000 tonnes)	ex 03.01 B II b) 1 (19 000 tonnes)	ex 16.04 C II (4 500 tonnes)
Benelux	3,11	1,29	3,45
Denmark	6,23	3,40	0,69
Germany	21,16	26,43	86,20
Greece	0,28	0,21	0,69
France	13,05	12,65	0,69
Ireland	0,28	0,13	0,69
Italy	0,28	0,28	0,69
United Kingdom	55,61	55,61	6,90

Whereas, to take account of possible import trends for the products in question, the quota volumes should be divided into two instalments, the first being allocated and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share; whereas, to give importers some degree of certainty, the first instalment of the Community tariff quotas should be fixed at a fairly high level, which in this case could be respectively 5 718, 18 107 and 2 900 tonnes;

Whereas initial shares may be used at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost used up a Member State should draw a further share and so on as many times as the reserve allows; whereas, bearing in mind the sensitive nature of the fisheries market in the United Kingdom, that market should not be laid open to too great a pressure brought about by too high a level of imports from third countries; whereas, therefore, without prejudice to any arrangements to be decided upon for the future, the United Kingdom should be excluded from the obligation to draw further shares from certain of the reserves; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas, if at a given date in the quota period a considerable quantity of a Member State's share remains unused, it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others; whereas, however, as regards the United Kingdom, any return to some of the reserves may be effected only up to the limit of the quantities necessary to satisfy the real needs of other Member States that cannot be met by the mechanisms which are directly applicable to them;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1984, a Community tariff quota of 6 000 tonnes shall be opened with a duty of 3,7 % for round frozen redfish (*Sebastes spp*) and round frozen cod (*Gadus morhua*), falling within subheadings ex 03.01 B I f) 2 and ex 03.01 B I h) 2 of the Common Customs Tariff, intended to undergo one of the operations authorized under paragraph 4.

2. From 1 January to 31 December 1984, a Community tariff quota of 19 000 tonnes with a duty of 4 % shall be opened for frozen cod (*Gadus morhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff, intended to undergo one of the operations authorized under paragraph 4.

3. From 1 January to 31 December 1984, a Community tariff quota of 4 500 tonnes with a duty of 10 % shall be opened for herring flaps, prepared or preserved in vinegar, presented in packings of a net capacity of 10 kilograms or more, falling within subheading ex 16.04 C II of the Common Customs Tariff.

4. Without prejudice to paragraph 5, the preferential arrangements shown in paragraphs 1 and 2 shall apply to fish intended to undergo any operation, unless they are intended to undergo exclusively one or more of the following treatments:

- cleaning, gutting, heading, tailing,
- cutting (excluding filleting and cutting up frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep-freezing,
- thawing, separation.

The preferential arrangements shall not apply to products intended to undergo an operation which qualifies for the grant of the benefit of the quota but which is carried out at retail or catering level. The products referred to in paragraph 2, which are presented in individual fillets and in immediate packings of a net capacity of four kilograms or more shall be considered to fulfil the conditions shown in the present paragraph.

The preferential arrangements shall apply only to fish intended for human consumption.

5. The tariff opened for products falling within subheadings ex 03.01 B I h) 2 and ex 03.01 B II b) 1 of the Common Customs Tariff shall be reserved for products accompanied by a certificate issued by one of the recognized authorities of the countries of origin listed in Annex II, made out in accordance with one of the specimens in Annex I, attesting that the fish from which they were obtained were fished in the North Atlantic with due respect for the international conventions on the conservation and management of fishery resources. The certificate must also certify that the products presented were obtained from cod of the *Gadus morhua* species.

6. For the purposes of these tariff quotas, Greece shall apply customs duties calculated in accordance with the provisions of the 1979 Act of Accession.

Article 2

1. The tariff quotas referred to in Article 1 shall be divided into two instalments.

A first instalment of each quota, i.e. 5 718, 18 107 and 2 900 tonnes, respectively, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1984, shall be as follows:

	Quota Article 1 (1) (6 000 tonnes to 3,7 %)	Quota Article 1 (2) (19 000 tonnes to 4 %)	Quota Article 1 (3) (4 500 tonnes to 10 %)
Benelux	178	234	100
Denmark	356	617	20
Germany	1 210	4 785	2 500
Greece	16	38	20
France	746	2 290	20
Ireland	16	23	20
Italy	16	50	20
United Kingdom	3 180	10 070	200
	5 718	18 107	2 900

2. The second instalment of each quota, i.e. 282, 893 and 1 600 tonnes, respectively, shall constitute the corresponding reserve.

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share, rounded up as necessary to the next whole number.

2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the next whole number.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. However, with regard to the quotas referred to in Article 1 (1) and (2), paragraphs 1 to 4 above shall not apply to the United Kingdom.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1984.

Article 5

1. Member States shall, not later than 1 October 1984, return to the reserve the unused portion of their initial share which, on 15 September 1984, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1984, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1984 and charged against the Community tariff quotas and of any portion of their initial shares returned to the reserve.

2. However, with regard to the quotas referred to in Article 1 (1) and (2), any return to the reserve by the United Kingdom may be effected only up to the limit of the quantities necessary to satisfy the real needs of other Member States that cannot be met either by their initial shares or by the corresponding reserve that might be replenished pursuant to paragraph 1.

Article 6

The Commission shall keep an account of the volume of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1984, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts one of the reserves does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall take all appropriate measures to ensure that the products referred to in Article 1 (1) and (2) fulfil the conditions mentioned in the aforesaid Article for admission to benefit from the tariff quotas. In such case use of the product for the particular end-use specified shall be verified in accordance with the relevant Community provisions.

3. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

4. The Member States shall charge imports of the products in question against their shares as and when the product is entered with the customs authorities for free circulation.

5. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 4.

Article 8

Admission to benefit from the tariff quotas may not be subjected by a Member State to a customs security, intended solely to ensure that the shares laid down in this Regulation are not exceeded, unless the effective use of the shares that have been attributed to it has exceeded 90 % of such shares.

Article 9

The Member States shall, not later than the 15th day of the months of April and July, communicate to the Commission statement of charges effected on their shares during the first and second quarters, respectively.

At the request of the Commission, they shall communicate statement of charges for shorter periods and these statements must be forwarded within 10 days from the end of each period.

Article 10

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 11

This Regulation shall enter into force on 1 January 1984.

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

Done at Brussels, 22 December 1983.

For the Council

The President

C. VAITSOS

BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I

MODELLER TIL CERTIFIKAT

MUSTER DER BESCHEINIGUNG

ΥΠΟΔΕΙΓΜΑ ΠΙΣΤΟΠΟΙΗΤΙΚΟΥ

MODEL CERTIFICATE

MODÈLES DE CERTIFICAT

MODELLI DI CERTIFICATO

MODELLEN VAN CERTIFICAAT

1 Eksportør (navn, fuldstændig adresse, land)	2 Nummer		00000	
3 Modtager (navn, fuldstændig adresse, land)	CERTIFIKAT VEDRØRENDE NORDATLANTISK TORSK (GADUS MORHUA) udstedt med henblik på opnåelse af præferencetoldbehandling i Det europæiske økonomiske Fællesskab			
	4 Oprindelsesland		5 Bestemmelsesland	
6 Sted og dato for indskibning — transportmiddel	7 Supplerende oplysninger			
8 Mærker og numre — Antal kolli og deres art — NØJE BESKRIVELSE AF VARERNE		9 Antal i tons	10 Værdi fob (')	
11 DEN KOMPETENTE MYNDIGHEDS PÅTEGNING Undertegnede erklærer, at ovenfor beskrevne forsendelse udelukkende indeholder Nordatlantisk torsk (Gadus morhua) fra bestandene i Det nordlige Atlanterhav, som er fanget i overensstemmelse med de bestande, som er fastsat af Den nordvestlige Fiskeriorganisation eller Den nordøstatlantiske Fiskerikommission				
12 Kompetent myndighed (navn, adresse, land)	Sted..... dato.....			
	(Underskrift)		(Stempel)	

(') Valuta, der er anført i købekontrakten.

1 Ausführer (Name, vollständige Anschrift, Land)	2 Nummer	00000	
3 Empfänger (Name, vollständige Anschrift, Land)	BESCHEINIGUNG FÜR NORDATLANTISCHEN KABELJAU (GADUS MORHUA) ausgestellt für die Zulassung zur zoll- tariflichen Vorzugsregelung in der Europäischen Wirtschaftsgemeinschaft		
	4 Ursprungsland	5 Bestimmungsland	
6 Ort und Datum der Verladung — Beförderungsmittel	7 Zusätzliche Angaben		
8 Zeichen und Nummern — Anzahl und Art der Packstücke — GENAUE BESCHREIBUNG DER ERZEUGNISSE	9 Menge in Tonnen	10 Wert fob (')	
	11 SICHTVERMERK DER ZUSTÄNDIGEN BEHÖRDE Der Unterzeichnende bescheinigt, daß die vorstehend bezeichnete Sendung ausschließlich aus nordatlantischem Kabeljau (Gadus morhua) aus Beständen des Nordatlantiks besteht, der gemäß den Regeln der Nordwestatlantischen Fischereiorganisation oder der Nordostatlantischen Fischereikommission gefischt wurde.		
12 Zuständige Behörde (Name, vollständige Anschrift, Land)	Ort Datum (Unterschrift) (Stempel)		

(') In der im Kaufvertrag angegebenen Währung.

1 Εξαγωγέας (όνομα, πλήρης διεύθυνση, χώρα)	2 Αριθμός	00000	
3 Παραλήπτης (όνομα, πλήρης διεύθυνση, χώρα)	ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΓΙΑ ΤΟΝ ΒΑΚΑΛΑΟ ΤΟΥ ΒΟΡΕΙΟΥ ΑΤΛΑΝΤΙΚΟΥ (GADUS MORHUA) εκδοθέν για την επίτευξη του ευεργετήματος του προτιμησιακού δασμολογικού καθεστώτος εντός της Ευρωπαϊκής Οικονομικής Κοινότητας		
	4 Χώρα καταγωγής	5 Χώρα προορισμού	
6 Τόπος και χρονολογία αποστολής — Μέσο μεταφοράς	7 Συμπληρωματικά στοιχεία		
8 Σημεία και αριθμοί — Αριθμός και είδος των δεμάτων — ΛΕΠΤΟΜΕΡΗΣ ΠΕΡΙΓΡΑΦΗ ΤΩΝ ΕΜΠΟΡΕΥΜΑΤΩΝ	9 Ποσότητα σε τόνους	10 Αξία fob (¹)	
11 ΕΠΙΚΥΡΩΣΗ ΤΗΣ ΑΡΜΟΔΙΑΣ ΥΠΗΡΕΣΙΑΣ Ο υπογεγραμμένος πιστοποιεί ότι η αποστολή με την παραπάνω περιγραφή περιέχει αποκλειστικά βακαλάο του Βορείου Ατλαντικού (Gadus morhua), προερχόμενον από τα αποθέματα του Βορείου Ατλαντικού και αλιευθέντα σύμφωνα με τις διατάξεις του Οργανισμού Αλιείας του Βορειοδυτικού Ατλαντικού ή της Επιτροπής Αλιείας του Βορειο-ανατολικού Ατλαντικού.			
12 Αρμόδια υπηρεσία (όνομα, πλήρης διεύθυνση, χώρα)	Έγινε στ την..... (Υπογραφή) (Σφραγίδα)		

(¹) Στο νόμισμα της συμβάσεως πωλήσεως.

1 Exporter (Name, full address, country)	2 Number	00000	
3 Consignee (Name, full address, country)	CERTIFICATE IN REGARD TO NORTH ATLANTIC COD (GADUS MORHUA) Issued with a view to obtaining the benefit of the preferential tariff arrangements in the European Economic Community		
	4 Country of origin	5 Country of destination	
6 Place and date of shipment — Means of transport	7 Supplementary details		
8 Marks and numbers — Number and kind of packages — DETAILED DESCRIPTION OF GOODS	9 Quantity in tonnes	10 FOB value (')	
11 CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the consignment described above contains only North Atlantic cod (<i>Gadus morhua</i>) from the stocks of the North Atlantic Ocean fished in accordance with the provisions of the North-West Atlantic Fisheries Organization, or the North-East Atlantic Fisheries Commission.			
12 Competent authority (Name, full address, country)	At....., on		
	(Signature)	(Seal)	

(') In the currency of the contract of sale.

1 Exportateur (Nom, adresse complète, pays)	2 Numéro	00000	
3 Destinataire (Nom, adresse complète, pays)	CERTIFICAT CONCERNANT LE CABILLAUD DE L'ATLANTIQUE DU NORD («GADUS MORHUA») délivré en vue de l'obtention du bénéfice du régime tarifaire préférentiel dans la Communauté économique européenne		
	4 Pays d'origine	5 Pays de destination	
6 Lieu et date d'embarquement — moyen de transport	7 Données supplémentaires		
8 Marques et numéros — nombre et nature des colis — DÉSIGNATION DÉTAILLÉE DES MARCHANDISES		9 Quantité en tonnes	10 Valeur fob (')
11 VISA DE L'AUTORITÉ COMPÉTENTE Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement du cabillaud de l'Atlantique Nord (<i>Gadus morhua</i>) provenant des stocks de l'océan de l'Atlantique Nord et capturés en concordance avec les dispositions de l'Organisation de l'Atlantique du Nord-Ouest ou de la commission des pêcheries de l'Atlantique du Nord-Est.			
12 Autorité compétente (Nom, adresse complète, pays)	A....., le..... (Signature) (Sceau)		

(') Dans la monnaie du contrat de vente.

1 Esportatore (nome, indirizzo completo, paese)	2 Numero	00000	
3 Destinatario (nome, indirizzo completo, paese)	CERTIFICATO RELATIVO AL MERLUZZO BIANCO DELL'ATLANTICO DEL NORD (GADUS MORHUA) rilasciato per ottenere il beneficio del regime tariffario preferenziale nella Comunità economica europea		
	4 Paese di origine	5 Paese di destinazione	
6 Luogo e data d'imbarco — Mezzo di trasporto	7 Dati supplementari		
8 Marche e numeri — Numero e natura dei colli — DESIGNAZIONE DETTAGLIATA DELLE MERCI	9 Quantità in tonnellate	10 Valore fob (')	
11 VISTO DELL'AUTORITÀ COMPETENTE Il sottoscritto certifica che la partita descritta sopra contiene esclusivamente merluzzo bianco dell'Atlantico settentrionale (Gadus morhua) delle popolazioni dell'Oceano Atlantico settentrionale pescato in conformità ai termini dell'organizzazione di pesca dell'Atlantico nord-occidentale o della commissione di pesca dell'Atlantico nord-occidentale.			
12 Autorità competente (nome, indirizzo completo, paese)	A....., il..... (Firma) (Sigillo)		

(') Nella moneta del contratto di vendita.

1 Exporteur (naam, volledig adres, land)	2 Nummer	00000	
3 Geadresseerde (naam, volledig adres, land)	CERTIFICAAT BETREFFENDE NOORDATLANTISCHE KABELJAUW (GADUS MORHUA) afgegeven met het oog op het verkrijgen van de voordelen van het stelsel van tariefpreferenties in de Europese Economische Gemeenschap		
	4 Land van oorsprong	5 Land van bestemming	
6 Plaats en datum van inlading — vervoermiddel	7 Bijkomende gegevens		
8 Merken en nummers — aantal en soort der colli — NAUWKEURIGE OMSCHRIJVING VAN DE GOEDEREN	9 Hoeveelheid in ton	10 fob- waarde (')	
11 VISUM VAN DE BEVOEGDE AUTORITEIT: Ondergetekende verklaart dat de hierboven omschreven zending uitsluitend Noordatlantische kabeljauw (Gadus morhua) van de visbestanden van de Noordatlantische Oceaan bevat, gevangen overeenkomstig de bepalingen van de Noord-West Atlantische Visserij Organisatie, of van de Noord-Oost Atlantische Visserij Commissie.			
12 Bevoegde autoriteit (naam, volledig adres, land)	Te, de (Handtekening) (Stempel)		

(') In de munt van het verkoopcontract.

BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II

Oprindelsesland Ursprungsland Χώρα καταγωγής Country of origin Pays d'origine Paese di origine Land van oorsprong	Kompetent myndighed Zuständige Behörde Αρμόδια υπηρεσία Competent authority Autorité compétente Autorità competente Bevoegde autoriteit
Island Island Ισλανδία Iceland Islande Islanda IJsland	Customs Iceland
Norge Norwegen Νορβηγία Norway Norvège Norvegia Noorwegen	Quality Inspection Department Directorate General of Fisheries Bergen (Norway)
Canada Kanada Καναδάς Canada Canada Canada Canada	Department of Fisheries and Oceans
De forenede Stater USA ΗΠΑ USA États-Unis Stati Uniti USA	Department of Commerce Washington D.C.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 December 1983

on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations

(83/652/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Decision 81/1053/EEC of 29 December 1981 on the conclusion of an Agreement on fisheries between the European Economic Community and the Government of Canada ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Agreement on fisheries between the European Economic Community and the Government of Canada was signed on 30 December 1981;

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations was signed on 30 December 1981;

Whereas the Community and the Government of Canada have consulted each other on the subject of the implementation of their Agreements;

Whereas, resulting from these consultations, the parties have agreed on a text in the form of an exchange of letters having as its objective the mutually satisfactory implementation of the Agreement and supplementing the Agreement in the form of an exchange of letters, signed on 30 December 1981;

Whereas this text should be consequently approved, which introduces, in the framework of the tariff quotas, an amendment applicable as from 1 January 1984 for certain fisheries products,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations is hereby approved in the name of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 20 December 1983.

For the Council

The President

N. AKRITIDIS

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 53.

AGREEMENT

in the form of an exchange of letters between the Government of Canada and the European Economic Community concerning their fisheries relations

A. Letter from the Government of Canada

1 January 1984

Sir,

With reference to the Agreement in the form of an exchange of letters between the Government of Canada and the European Economic Community concerning their fisheries relations, signed on 30 December 1981, hereinafter referred to as 'the Agreement', I have the honour to confirm that the undertakings contained therein shall continue in effect subject to the understandings set forth in the following paragraphs with regard to the application of the Agreement.

In order to enable the mutually satisfactory implementation of the Agreement, the two Parties agree as follows:

- I. The Community will appoint an official fisheries representative in Canada by not later than 31 March 1984 in order to facilitate the administration of Canadian licensing procedures.
- II. The following conversion factors shall be applied to all catches of cod under the Agreement: standard fillets (skin off, pinbones in) 3,2; boneless fillets (skin off, deboned) 3,7. It is anticipated that these will remain the established conversion factors for the duration of the Agreement. However, in the event that alterations in production technology or in product types warrant the establishment of different conversion factors, in response to proposals by either Canadian or Community officials, the Canadian authorities undertake, before any changes in established conversion factors take place, to inform the Community authorities of the changes being considered. Further, the Canadian officials shall, if the Community authorities so request, consult with Community officials concerning the proposed changes. The result of such consultations will be taken into account by the Canadian authorities in determining the conversion factors subsequently established. This determination shall be made annually by 30 September of the year preceding the commencement of the fishing season.
- III. The administration of Canadian regulations governing fishing by the Community vessels in Canadian waters in fishing zones referred to in Annex I to the Agreement shall be in conformity with the contents of the *aide-mémoire* dated 1 January 1984, addressed by the Mission of Canada to the European Communities to the Commission of the European Communities.
- IV. The tariff quotas for cod fillets frozen of the species *Gadus morhua*, North Atlantic cod, opened under Common Customs Tariff subheading 03.01 B II b) 1, referred to in Annex II to the Agreement are as follows:

(tonnes)				
Rate	1984	1985	1986	1987
4 %	19 000	21 000	22 000	24 000

- V. The administration of certain tariff quotas referred to in Annex II to the Agreement shall be in conformity with the contents of the *aide-mémoire* dated 1 January 1984, addressed by the Commission of the European Communities to the Mission of Canada to the European Communities.

VI. Within 45 days of the completion of each quarter, the Community shall provide to the Canadian Government quarterly data on the utilization of tariff quotas by product for each major market in the Community specified in good time by Canada.

I have the honour to propose that this letter, which is equally authentic in English and French, and your letter of even date shall constitute an Agreement between the European Economic Community and the Government of Canada which shall enter into force on 1 January 1984.

Please accept Sir the assurance of my highest consideration.

*On behalf of the
Government of Canada*

B. *Letter from the European Economic Community*

1 January 1984

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement in the form of an exchange of letters between the Government of Canada and the European Economic Community concerning their fisheries relations, signed on 30 December 1981, hereinafter referred to as "the Agreement", I have the honour to confirm that the undertakings contained therein shall continue in effect subject to the understandings set forth in the following paragraphs with regard to the application of the Agreement.

In order to enable the mutually satisfactory implementation of the Agreement, the two Parties agree as follows:

- I. The Community will appoint an official fisheries representative in Canada by not later than 31 March 1984 in order to facilitate the administration of Canadian licensing procedures.
- II. The following conversion factors shall be applied to all catches of cod under the Agreement: standard fillets (skin off, pinbones in) 3,2; boneless fillets (skin off, deboned) 3,7. It is anticipated that these will remain the established conversion factors for the duration of the Agreement. However, in the event that alterations in production technology or in product types warrant the establishment of different conversion factors, in response to proposals by either Canadian or Community officials, the Canadian authorities undertake, before any changes in established conversion factors take place, to inform the Community authorities of the changes being considered. Further, the Canadian officials shall, if the Community authorities so request, consult with Community officials concerning the proposed changes. The result of such consultations will be taken into account by the Canadian authorities in determining the conversion factors subsequently established. This determination shall be made annually by 30 September of the year preceding the commencement of the fishing season.
- III. The administration of Canadian regulations governing fishing by the Community vessels in Canadian waters in fishing zones referred to in Annex I to the Agreement shall be in conformity with the contents of the *aide-mémoire* dated 1 January 1984, addressed by the Mission of Canada to the European Communities to the Commission of the European Communities.
- IV. The tariff quotas for cod fillets frozen of the species *Gadus morhua*, North Atlantic cod, opened under Common Customs Tariff subheading 03.01 B II b) 1, referred to in Annex II to the Agreement are as follows:

(tonnes)				
Rate	1984	1985	1986	1987
4 %	19 000	21 000	22 000	24 000

- V. The administration of certain tariff quotas referred to in Annex II to the Agreement shall be in conformity with the contents of the *aide-mémoire* dated 1 January 1984, addressed by the Commission of the European Communities to the Mission of Canada to the European Communities.

VI. Within 45 days of the completion of each quarter, the Community shall provide to the Canadian Government quarterly data on the utilization of tariff quotas by product for each major market in the Community specified in good time by Canada.

I have the honour to propose that this letter, which is equally authentic in English and French, and your letter of even date shall constitute an Agreement between the European Economic Community and the Government of Canada which shall enter into force on 1 January 1984.'

I have the honour of confirming that the contents of your letter are acceptable to the Community and that your letter constitutes an Agreement in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

COUNCIL DECISION**of 20 December 1983****on the allocation of the possibilities for catching herring in the North Sea as from
1 January 1984****(83/653/EEC)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No
170/83 of 25 January 1983 establishing a Community
system for the conservation and management of
fishery resources ⁽¹⁾, and in particular Articles 4 (1)
and 11 thereof,

Having regard to the proposal from the Commission,

Whereas the replenishment of the herring stock in the
North Sea makes it possible to begin fishing for this
species again;

Whereas, in order to enable herring fishermen to
organize their fishing on a stable basis, rules for the
distribution of this stock should be adopted on the
basis of the development thereof,

HAS ADOPTED THIS DECISION:

Article 1

The possibilities for catching herring in the North Sea
shall be allocated in accordance with the table
annexed to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1983.

For the Council

The President

N. AKRITIDIS

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

ANNEX

	D	F	NL	B	UK	DK
For a Community share of 155 000 tonnes	13,3	13,8	27,6	7 100 tonnes	24,15	21,15
For a Community share of 251 000 tonnes	15,0	12,0	27,0	6 000 tonnes + 1 %	23,0	22,0
Allocation of quantities above 251 000 tonnes	17,5	8,5	20,5	1,0	17,5	35,0

For Community shares between 155 000 and 251 000 tonnes, allocation would be made in accordance with the points on corresponding straight-line graphs.
