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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3777/85

of 31 December 1985

amending Regulation (EEC) No 3721/85 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1986 and certain conditions under which they can be fished

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Articles 161, 164, 165, 349 and 352 thereof,

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 Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas under the terms of Article 2 of Regulation (EEC) No 170/83 it is incumbent upon the Council to formulate, in the light of the available scientific advice and, in particular, of the report prepared by the Scientific and Technical Committee for Fisheries, the conservation measures necessary to achieve the aims set out in Article 1 of the same Regulation;

Whereas under the terms of Article 3 of Regulation (EEC) No 170/83 it is incumbent upon the Council to establish the total allowable catches by stock or group of stocks, the share available for the Community and also the specific conditions under which the catches must be made; whereas, under the terms of Article 4 of the same Regulation, the share available for the Community is allocated between the Member States;

Whereas Article 161 of the Act of Accession fixes the share of the total allowable catches to be allocated to Spain for certain stocks in certain zones;

Whereas Article 164 of the Act of Accession establishes the activities which may be carried out under certain circumstances by vessels flying the flag of Member States, with the exception of Spain and Portugal, in the waters of the Atlantic Ocean falling under the sovereignty or within the jurisdiction of Spain and covered by the International Council for the Exploration of the Sea (ICES);

Whereas Article 165 of the Act of Accession establishes the activities which may be carried out under certain circumstances by vessels flying the flag of Portugal in the waters falling under the sovereignty or within the jurisdiction of Spain and covered by ICES and the Fishery Committee for the Eastern Central Atlantic (CECAF);

Whereas Article 349 of the Act of Accession establishes certain fishing possibilities under certain conditions for vessels flying the flag of Portugal in the waters falling under the sovereignty or within the jurisdiction of Member States, with the exception of Spain and Portugal, and covered by ICES;

Whereas Article 352 of the Act of Accession establishes the activities which may be carried out under certain conditions by vessels flying the flag of Spain and listed and/or registered in a port situated in the territory to which the common fisheries policy applies in the waters falling under the sovereignty or within the jurisdiction of Portugal and covered by ICES and CECAF;

Whereas the stocks of certain species, termed for the purpose of this Regulation 'overlapping stocks', are distributed throughout several zones; whereas the waters in these zones fall under the sovereignty or within the jurisdiction of several Member States; whereas, for vessels flying the flag of Spain, Article 161 of the Act of Accession does not provide any catch possibilities for certain overlapping stocks in the waters under the sovereignty or within the jurisdiction of France and Article 352 does not provide any catch possibilities for certain overlapping stocks in the waters under the sovereignty or within the jurisdiction of Portugal; whereas Article 165 does not provide any catch possibilities for certain overlapping stocks for vessels flying the flag of Portugal in the waters under the sovereignty or within the jurisdiction of Spain; whereas provision should therefore be made under which catches from overlapping stocks by a vessel flying the flag of, and fishing in the waters falling under the sovereignty or within the jurisdiction of the same Member State, may be retained on board, subject to the provisions of this Regulation;

⁽¹⁾ OJ No L 24, 27. 1. 1983, p.1.

Whereas the provisional total admissible catches for 1986 and the conditions under which they may be fished will take effect as from 1 January 1986; whereas the proximity of that date means that provision must be made for an initial limited period of application to enable the Council, before the end of that period, to confirm the decisions taken;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession of Spain and Portugal the institutions of the Community may adopt before accession the measures referred to in Articles 161, 164, 165, 349 and 352 of the Act, these measures entering into force subject to and on the date of entry into force of the said Treaty,

HAD ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3721/85 ⁽¹⁾ is hereby amended as follows:

1. The following subparagraph is added to Article 1:

'For the purposes of this Regulation, the waters under the sovereignty or within the jurisdiction of Portugal in the region of the Azores are excluded from the geographical region Azores (ICES sub-area X) and the waters under the sovereignty or within the jurisdiction of Portugal in the region of Madeira are excluded from the geographical region Moroccan coast (CECAF Division 34.1.1 (EC Zone)).'

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

Done at Brussels, 31 December 1985.

2. Annex I is amended as follows:

- (a) for each of the species listed in column 1 of Annex I to this Regulation, the zone listed in column 2 is replaced with the zone listed in column 3;
- (b) the data under the columns entitled 'TAC 1986 (in tonnes)' and 'Share available to the Community for 1986 (in tonnes)' are replaced with those in columns 4 and 5 of Annex I to this Regulation, for the corresponding species and zones;
- (c) the content of Annex II to this Regulation is added.

3. Annex II is amended as follows:

- (a) the data for the species and zones listed in columns 1 and 2 of Annex I to this Regulation are replaced with those contained in Annex III to this Regulation;
- (b) the content of Annex IV to this Regulation is added.

Article 2

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of accession of Spain and Portugal.

It shall apply until 25 January 1986, subject to review by the Council before that date.

For the Council
The President
R. STEICHEN

⁽¹⁾ OJ No L 361, 31. 12. 1985, p. 5.

ANNEX I

Column 1	Column 2	Column 3	Column 4	Column 5
Species	Zone	Zone	TAC 1986 (in tonnes)	Share available to the Community for 1986 (in tonnes)
Cod	VII, except VII a; VIII (EC zone)	VII except VII a, VIII, IX, X; CECAF 34.1.1. (EC zone)	(unchanged)	(unchanged)
Haddock	VII; VIII (EC zone)	VII, VIII, IX, X; CECAF 34.1.1. (EC zone)	(unchanged)	(unchanged)
Saithe	VII; VIII (EC zone)	VII, VIII, IX, X; CECAF 34.1.1. (EC zone)	(unchanged)	(unchanged)
European Plaice	VIII (EC zone)	VIII, IX, X; CECAF 34.1.1. (EC zone)	(unchanged)	(unchanged)
Common sole	VIII (EC zone)	VIII	3 400 (*)	3 400
Mackerel	II (excluding EC zone), V b (EC zone), VI, VII, VIII (EC zone), XII	II (excluding EG-Zone), V b (EC zone), VI, VII, VIII except VIII c, XII, XIV	(unchanged)	(unchanged)
Horse Mackerel	V b (EC zone), VI, VII, XII, XIV	V b (EC zone), VI, VII, XII, XIV	85 000 (*) (¹⁴) (¹⁵)	78 250
Horse Mackerel	VIII (EC zone)	VIII except VIII c	4 000 (*) (¹⁴) (¹⁵)	(unchanged)
Hake	V b (EC zone), VI, VII, XII, XIV	V b (EC zone), VI, VII, XII, XIV	25 190 (*) (¹⁵)	25 190
Hake	VIII (EC zone)	VIII except VIII c	19 810 (*) (¹⁵)	19 810
Anchovy	VIII (EC zone)	VIII	32 000 (*)	32 000
Blue Whiting	V b (EC zone), VI, VII	V b (EC zone), VI, VII	500 000 (¹⁴) (¹⁵)	(unchanged)
Blue Whiting	VIII (EC zone)	VIII except VIII c	13 000 (¹⁴)	(unchanged)
Anglerfish	V b (EC zone), VI, XII, XIV	V b (EC zone), VI, XII, XIV	7 820 (*)	7 820
Anglerfish	VII	(unchanged)	30 070 (*)	30 070
Anglerfish	VIII (EC zone)	VIII except VIII c	9 010 (*)	9 010
Megrim	V b (EC zone), VI, XII, XIV	V b (EC zone), VI, XII, XIV	4 400 (*)	4 400
Megrim	VII	(unchanged)	14 440 (*)	14 440
Megrim	VIII (EC zone)	VIII except VIII c	2 020 (*)	2 020

(*) Precautionary TAC.

(¹⁴) Excludes flat-rate quantities allocated under Regulation (EEC) No 3780/85 (OJ No L 363, 31. 12. 1985, p. 24).(¹⁵) Excludes flat-rate quantities allocated under Regulation (EEC) No 3724/85 (OJ No L 361, 31. 12. 1985, p. 45).

ANNEX II

TACs by stock and by area envisaged for 1986 – shares

Species	Zone	TAC 1986 (in tonnes)	Share available to the Community for 1986 (in tonnes)
Pollack	V b (EC zone), VI, XII, XIV	715 (*)	715
Pollack	VII	8 670 (*)	8 670
Pollack	VIII a, b	3 700 (*)	3 700
Pollack	VIII c	800 (*)	800
Pollack	VIII d, e	200 (*)	200
Pollack	IX, X; CEECAF 34.1.1 (EC zone)	400 (*)	400
Whiting	VIII	5 000 (*)	5 000
Whiting	IX, X; CEECAF 34.1.1 (EC zone)	3 000 (*)	3 000
Common sole	IX, X; CEECAF 34.1.1 (EC zone)	1 600 (*)	1 600
Mackerel	VIII c, IX, X; CEECAF 34.1.1 (EC zone)	24 700 (*)	24 700
Horse mackerel	VIII c	27 500 (*)	27 500
Horse mackerel	IX, X; CEECAF 34.1.1 (EC zone)	45 000 (*)	45 000
Hake	VIII c, IX, X; CEECAF 34.1.1 (EC zone)	29 300 (*)	29 300
Anchovy	IX, X; CEECAF 34.1.1 (EC zone)	3 000 (*)	3 000
Blue whiting	VIII c, IX, X; CEECAF 34.1.1 (EC zone)	40 000 (*)	40 000
Anglerfish	VIII c, IX, X; CEECAF 34.1.1 (EC zone)	12 000 (*)	12 000
Megrim	VIII c, IX, X; CEECAF 34.1.1 (EC zone)	13 000 (*)	13 000
Norway lobster	V b (EC zone), VI	14 800 (*)	14 800
Norway lobster	VII	24 700	24 700
Norway lobster	VIII a, b	7 500 (*)	7 500
Norway lobster	VIII c	400 (*)	400
Norway lobster	VIII d, e	100 (*)	100
Norway lobster	IX, X; CEECAF 34.1.1 (EC zone)	4 000 (*)	4 000

(*) Precautionary TAC.

ANNEX III

Stock		Zone	Member State	1986 quota (tonnes)
Species	Geographical regions			
Cod	West Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, Bay of Biscay, Portuguese waters, Azores, Moroccan coast	VII except VII a, VIII, IX, X; CEECAF 34.1.1 (EC zone)	Belgium	710
			Denmark	
			Germany	
			Greece	
			Spain	
			France	12 230
			Ireland	1 630
			Italy	
			Luxembourg	
			Netherlands	100
			Portugal	
			United Kingdom	1 330
			Available for Member States	
			EEC total	16 000
Haddock	Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, Bay of Biscay, Portuguese waters, Azores Moroccan coast	VII, VIII, IX, X; CEECAF 34.1.1 (EC zone)	Belgium	70
			Denmark	
			Germany	
			Greece	
			Spain	
			France	4 000
			Ireland	1 330
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	600
			Available for Member States	
			EEC total	6 000
Saithe	Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, Bay of Biscay, Portuguese waters, Azores Moroccan coast	VII, VIII, IX, X; CEECAF 34.1.1 (EC zone)	Belgium	30
			Denmark	
			Germany	
			Greece	
			Spain	
			France	5 060
			Ireland	2 530
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	1 380
			Available for Member States	
			EEC total	9 000

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
European plaice	Bay of Biscay, Portuguese waters, Azores, Moroccan coast	VIII, IX, X; 34.1.1 (EC zone)	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	250 ⁽¹⁾
			EEC total	250
Common sole	Bay of Biscay	VIII	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	10 ⁽²⁾ 95 ⁽¹⁾ 3 190 ⁽¹⁾ 105 ⁽²⁾
			EEC total	3 400
Mackerel	Norwegian Sea, Spitzbergen and Bear Island, Faroes, west Scotland, Rockall, Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, south Brittany; south, central and west Biscay, north Azores, east Greenland	II (excluding EC zone), V b (EC zone), VI, VII, VIII, except VIII c, XII, XIV	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	21 380 14 250 71 250 31 170 19 595
			EEC total	334 000

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

⁽²⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of France, or in international waters of the zone concerned.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Horse mackerel	Faroes, west Scotland, Rockall, Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, north Azores, east Greenland	V b (EC zone), VI, VII, XII, XIV	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	78 250 ⁽¹⁾
			EEC total	78 250 ⁽²⁾ ⁽³⁾
Horse mackerel	South Brittany; south, central and west Biscay	VIII except VIII c	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	4 000 ⁽¹⁾
			EEC total	4 000 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
Hake	Faroes, west Scotland, Rockall, Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel, north Azores, east Greenland	V b (EC zone), VI, VII, XII, XIV	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	240 6 190 ⁽²⁾ ⁽⁵⁾ 12 430 1 550 110 4 670
			EEC total	25 190 ⁽²⁾

⁽¹⁾ Except Spain and Portugal.

⁽²⁾ Excludes flat-rate quantities allocated under Regulation (EEC) N° 3724/85 (OJ No L 361, 31. 12. 1985, p. 45) (Spain).

⁽³⁾ Excludes flat-rate quantities allocated under Regulation (EEC) N° 3780/85 (OJ No L 363, 31. 12. 1985, p. 24) (Portugal).

⁽⁴⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of France, or in international waters of the zone concerned.

⁽⁵⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W and to the north of 50°30' N.

Stock		Zone	Member State	1986 quota (tonnes)
Species	Geographical regions			
Hake	South Brittany; south, central and west Biscay	VIII except VIII c	Belgium	10 ⁽¹⁾
			Denmark	
			Germany	
			Greece	
			Spain	7 310 ⁽²⁾
			France	12 480
			Ireland	10 ⁽¹⁾
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	19 810 ⁽²⁾
Anchovy	Bay of Biscay	VIII	Belgium	28 800
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	32 000
Blue whiting	Faroes, west Scotland, Rockall, Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel	V b (EC zone), VI, VII	Belgium	252 000 ⁽³⁾
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	252 000 ⁽¹⁾ ⁽⁴⁾

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of France, or in international waters of the zone concerned.

⁽²⁾ Excludes flat-rate quantities allocated under Regulation (EEC) No 3724/85 (OJ No L 361, 31. 12. 1985, p. 45 (Spain)).

⁽³⁾ Except Spain and Portugal.

⁽⁴⁾ Excludes flat-rate quantities allocated under Regulation (EEC) No 3780/85, (OJ No L 363, 31. 12. 1985, p. 24) (Portugal).

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Blue whiting	South Brittany; south, central and west Biscay	VIII except VIII c	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	13 000 ⁽¹⁾ ⁽²⁾
			EEC total	13 000 ⁽³⁾ ⁽⁴⁾
Anglerfish	Faroes, west Scotland, Rockall, north Azores, east Greenland	V b (EC zone), VI, XII, XIV	Belgium	280
			Denmark	
			Germany	320
			Greece	
			Spain	320 ⁽⁵⁾
			France	3 450
			Ireland	780
			Italy	
			Luxembourg	
			Netherlands	270
			Portugal	
			United Kingdom	2 400
			Available for Member States	
			EEC total	7 820
Anglerfish	Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel	VII	Belgium	2 780
			Denmark	
			Germany	310
			Greece	
			Spain	1 090 ⁽⁵⁾
			France	17 840
			Ireland	2 280
			Italy	
			Luxembourg	
			Netherlands	360
			Portugal	
			United Kingdom	5 410
			Available for Member States	
			EEC total	30 070

⁽¹⁾ Except Spain and Portugal.

⁽²⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of France, or in international waters of the zone concerned.

⁽³⁾ Excludes flat-rate quantities allocated under Regulation (EEC) No 3724/85 (OJ No L 361/85, 31. 12. 1985, p. 45). (Spain).

⁽⁴⁾ Excludes the flat-rate quantities allocated under Regulation (EEC) No 3780/85 (OJ No L 363/85, 31. 12. 1985, p. 24). (Portugal).

⁽⁵⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W and to the north of 50°30' N.

Stock		Zone	Member State	1986 quota (tonnes)
Species	Geographical regions			
Anglerfish	South Brittany; south, central and west Biscay	VIII except VIII c	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	1 370
			France	7 640
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	9 010
Megrim	Faroes, west Scotland, Rockall, north Azores, east Greenland	V b (EC zone), VI, XII, XIV	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	500 ⁽¹⁾
			France	1 950
			Ireland	570
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	1 380
			Available for Member States	
			EEC total	4 400
Megrim	Irish Sea, west Ireland and Porpuine Bank, south Ireland, Bristol Channel, English Channel	VII	Belgium	390
			Denmark	
			Germany	
			Greece	
			Spain	4 330 ⁽¹⁾
			France	5 260
			Ireland	2 390
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	2 070
			Available for Member States	
			EEC total	14 440

⁽¹⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W and to the north of 50°30' N.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Megrim	South Brittany, south, central and west Biscay	VIII except VIII c	Belgium	1 120 900
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	2 020

ANNEX IV

Stock		Zone	Member State	1986 quota (tonnes)
Species	Geographical regions			
Pollack	Faroes, west Scotland, Rockall, north Azores, east Greenland	V b (EC zone), VI, XII, XIV	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	5 ⁽¹⁾
			France	350
			Ireland	10
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	350
			Available for Member States	
			EEC total	715
Pollack	Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel	VII	Belgium	300
			Denmark	
			Germany	
			Greece	
			Spain	20 ⁽¹⁾
			France	7 100
			Ireland	50
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	1 200
			Available for Member States	
			EEC total	8 670
Pollack	South Brittany and south Biscay	VIII a, b	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	630
			France	3 070
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	3 700

⁽¹⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W and to the north of 50°30' N.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Pollack	North and north-west Spain	VIII c	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	720
			France	80
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	800
Pollack	Central and west Biscay	VIII d, e	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	200
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	200
Pollack	Portuguese waters, Azores, Moroccan coast	IX, X; CECAF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	200 ⁽¹⁾
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	200 ⁽¹⁾
			United Kingdom	
			Available for Member States	
			EEC total	400

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Whiting	Bay of Biscay	VIII	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	2 000 ⁽¹⁾
			France	3 000 ⁽¹⁾
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	5 000
Whiting	Portuguese waters, Azores, Moroccan coast	IX, X; CECAF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	3 000 ⁽¹⁾
			United Kingdom	
			Available for Member States	
			EEC total	3 000
Common sole	Portuguese waters, Azores, Moroccan coast	IX, X; CECAF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	400 ⁽¹⁾
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	1 200 ⁽¹⁾
			United Kingdom	
			Available for Member States	
			EEC total	1 600

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Mackerel	North and north-west Spain, Portuguese waters, Azores, Moroccan coast	VIII c, IX, X; CECAF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	19 000 ⁽¹⁾
			France	200
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	5 500 ⁽¹⁾
			United Kingdom	
			Available for Member States	
			EEC total	24 700
Horse mackerel	North and north-west Spain	VIII c	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	27 000 ⁽¹⁾
			France	500
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	27 500
Horse mackerel	Portuguese waters, Azores, Moroccan coast	IX, X; CECAF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	12 000 ⁽²⁾
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	33 000 ⁽³⁾
			United Kingdom	
			Available for Member States	
			EEC total	45 000

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

⁽²⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 2 250 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Portugal.

⁽³⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 2 250 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Spain.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Hake	North and north-west Spain, Portuguese waters, Azores, Moroccan coast	VIII c, IX, X; CECF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	18 750 ⁽¹⁾
			France	1 800
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	8 750 ⁽²⁾
			United Kingdom	
			Available for Member States	
			EEC total	29 300
Anchovy	Portuguese waters, Azores, Moroccan coast	IX, X; CECF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	1 000 ⁽³⁾
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	2 000 ⁽³⁾
			United Kingdom	
			Available for Member States	
			EEC total	3 000
Blue whiting	North and north-west Spain, Portuguese waters, Azores, Moroccan coast	VIII c, IX, X; CECF 34.1.1 (EC zone)	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	30 000 ⁽³⁾
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	10 000 ⁽³⁾
			United Kingdom	
			Available for Member States	
			EEC total	40 000

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 850 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Portugal.

⁽²⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned, except for 850 tonnes which may be fished in the waters under the sovereignty or within the jurisdiction of Spain.

⁽³⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Anglerfish	North and north-west Spain, Portuguese waters, Azores, Moroccan coast	VIII c, IX, X; CECAF 34.1.1 (EC zone)	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	10 000 ⁽¹⁾ 10
			EEC total	12 000
Megrim	North and north-west Spain, Portuguese waters, Azores, Moroccan coast	VIII c, IX, X; CECAF 34.1.1 (EC zone)	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	12 000 ⁽¹⁾ 600
			EEC total	13 000
Norway lobster	South Faroe, Rockall, west Scotland	V b (EC zone), VI	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	30 ⁽²⁾ 120 200
			EEC total	14 450 14 800

⁽¹⁾ May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

⁽²⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W, and to the north of 50°30' N.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Norway lobster	Irish Sea, west Ireland and Porcupine Bank, south Ireland, Bristol Channel, English Channel	VII	Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	1 500 ⁽¹⁾
			France	6 000
			Ireland	9 100
			Italy	
			Luxembourg	
			Netherlands	
Norway lobster	South Brittany and south Biscay	VIII a, b	Portugal	
			United Kingdom	8 100
			Available for Member States	
			EEC total	24 700
			Belgium	
			Denmark	
			Germany	
			Greece	
			Spain	450
			France	7 050
Norway lobster	North and north-west Spain	VIII c	Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
			Available for Member States	
			EEC total	7 500
			Belgium	
			Denmark	
Norway lobster	North and north-west Spain	VIII c	Germany	
			Greece	
			Spain	380
			France	20
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			Portugal	
			United Kingdom	
Norway lobster	North and north-west Spain	VIII c	Available for Member States	
			EEC total	400

⁽¹⁾ Excluding the zone situated to the south of 56°30' N, to the east of 12°00' W and to the north of 50°30' N.

Stock			Member State	1986 quota (tonnes)
Species	Geographical regions	Zone		
Norway lobster	Central and west Biscay	VIII d, e	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	100
			EEC total	100
Norway lobster	Portuguese waters, Azores, Moroccan coast	IX, X; CECAF 34.1.1 (EC zone)	Belgium Denmark Germany Greece Spain France Ireland Italy Luxembourg Netherlands Portugal United Kingdom Available for Member States	1 000 ⁽¹⁾
			EEC total	4 000

(1) May be fished only in the waters under the sovereignty or within the jurisdiction of the Member State concerned, or in international waters of the zone concerned.

COUNCIL REGULATION (EEC) No 3778/85

of 31 December 1985

establishing, for 1986, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of Member States, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 164 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 164 of the Act of Accession, it is for the Council to decide on the fishing possibilities and the corresponding number of Community vessels which may fish in Atlantic waters falling under the sovereignty or within the jurisdiction of Spain and covered by the ICES;

Whereas these possibilities are determined, with respect to species not subject to the system of total allowable catches and quotas, having regard to the relative stability of stocks and the need to ensure their conservation, and also to the fishing possibilities granted to Spanish vessels in the waters of the other Member States of the Community apart from Portugal;

Whereas the specific conditions governing the fishing activities of such vessels should be laid down;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2057/82 of 29 June 1982, establishing certain control measures for fishing activities by vessels of the

Member States ⁽¹⁾, as last amended by Regulation (EEC) No 3723/85 ⁽²⁾ as well as to the specific detailed rules drawn up in accordance with Article 164 (4) of the Act of Accession;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession of Spain and Portugal, the institutions of the Community may adopt before accession the measures referred to in article 164 of the Act of Accession, these measures entering into force subject to and on the date of the entry into force of that Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of a Member State of the Community, other than Spain and Portugal, authorized to fish in waters falling under the sovereignty or within the jurisdiction of Portugal as provided for in Article 164 of the Act of Accession and the rules governing access, are as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

It shall be applicable until 31 December 1986.

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

Done at Brussels, 31 December 1985.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

ANNEX

EEC – SPAIN

Species	ICES zone	Authorized fishing gear	Total number of vessels		Period of fishing authorization
			Basic list	Periodic list	

I. General fishing

Hake (<i>Merluccius merluccius</i>)	VIII c, IX ⁽¹⁾	Long-lines trawl (vessels over 100 grt)	10 (France)	5 ⁽²⁾ (France)	year-round
Monkfish (<i>Lophius piscatorius</i>) (<i>Lophius boudegassa</i>)	VIII c, IX ⁽¹⁾	Trawl			year-round
Megrim (<i>Lepidorhombus whiffiagonis</i>) (<i>Lepidorhombus boscii</i>)	VIII c, IX ⁽¹⁾	Trawl			year-round
Norway Lobster (<i>Nephrops norvegicus</i>)	VIII c, IX ⁽¹⁾	Trawl			year-round
Pollack (<i>Pollachius pollachius</i>)	VIII c, IX ⁽¹⁾	Trawl			year-round

II. Specialized fishing

	VIII c, IX ⁽¹⁾	Long-lines (long-liners over 100 grt)	25	10	year-round
		Rods (vessels under 50 grt)	—	64	year-round
Anchovy (<i>Engraulis encrasicolus</i>) as main catch	VIII c	Seine		40 (France)	between 1. 3. and 30. 6.
Anchovy (<i>Engraulis encrasicolus</i>) as live bait	VIII c	Seine		20 (France)	between 1. 7. and 31. 10.
Sardine (<i>Sardina pilchardus</i>)	VIII c	Seine (vessels under 100 grt)	71 (France)	40 (France)	between 1. 1. and 28. 2. and 1. 7. and 31. 12.

⁽¹⁾ Waters falling under the sovereignty and within the jurisdiction of the Kingdom of Spain.

⁽²⁾ Total number of standard vessels per Member State; standard vessels means a vessel having a brake horsepower equal to 700 horsepower (BHP). The conversion rates for vessels having a different engine power are the same as those defined in Article 158 paragraph 2 of the Act of Accession.

Species	Quantity (tonnes)	ICES zone	Authorized fishing gear or type of vessel	Total number of vessels	Period of fishing authorization
Thunnidae	unlimited	VIII c, IX ⁽¹⁾	Troll line	Unlimited	year-round

⁽¹⁾ Waters falling under the sovereignty and within the jurisdiction of the Kingdom of Spain.

COUNCIL REGULATION (EEC) No 3779/85
of 31 December 1985

establishing, for 1986, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 351 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 351 of the Act of Accession, it is for the Council to decide on the fishing possibilities and the corresponding number of Community vessels which may fish in the waters referred to in that Article;

Whereas these possibilities are determined, with respect to pelagic species not subject to the system of total allowable catches and quotas, having regard to the need to ensure their conservation and to the fishing possibilities granted to Portuguese vessels with respect to similar species in the waters of the other Member States of the Community, apart from Spain;

Whereas the specific conditions governing fishing by these vessels should be laid down;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as last amended by Council Regulation

No 3723/85 ⁽²⁾, in accordance with the second subparagraph of Article 351 (5) of the Act of Accession;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession of Spain and Portugal, the institutions of the Community may adopt before accession the measures referred to in Article 351 of the Act of Accession measures, these entering into force subject to and on the date of the entry into force of the said Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of a Member State of the Community, other than Spain and Portugal, authorized to fish in waters falling under the sovereignty or within the jurisdiction of Portugal as provided for in Article 351 of the Act of Accession and the rules governing their access thereto, are set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

It shall be applicable until 31 December 1986.

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

Done at Brussels, 31 December 1985.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

ANNEX

EEC – PORTUGAL

Species	Quantity (t)	Zones ⁽¹⁾	Authorized fishing gear	Total number of vessels ⁽³⁾	Period of fishing authorization
<i>Thunnidae</i>	Unlimited	IX	Troll line	Unlimited	year-round
Albacore tuna (<i>Thunnus alalunga</i>)	Unlimited	X and CECAF	Troll line	110 (France) ⁽²⁾	Between 2. 6. and 28. 7.
Tropical tuna	Unlimited	X (to the south of 36°30' N) CECAF (to the south of 31° N and to the north of 31° N to the west of 17°30' W)	Purse seine	Unlimited	year-round

⁽¹⁾ Waters falling under the sovereignty and within the jurisdiction of Portugal.

⁽²⁾ Not exceeding 26 m in length between perpendiculars.

⁽³⁾ Authorized simultaneously to carry out fishing activities.

COUNCIL REGULATION (EEC) No 3780/85
of 31 December 1985

establishing, for 1986, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Portugal in waters falling under the sovereignty or within the jurisdiction of other Member States, apart from Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 349 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 349 of the Act of Accession, it is for the Council to decide on the fishing possibilities and the corresponding number of Portuguese vessels which may fish in the waters referred to in paragraph 1 of that Article;

Whereas, pursuant to Article 349 (2), fishing possibilities for catches of blue whiting and horse mackerel are granted to Portuguese vessels;

Whereas fishing possibilities for species not subject to the system of total allowable catches and quotas are determined having regard to the need to ensure the conservation of stocks;

Whereas the specific conditions governing the fishing activities referred to in Article 349 of the Act of Accession should be laid down;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2057/82 of 29 June 1982, establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as last amended by Regulation (EEC)

No 3723/85 ⁽²⁾, as well as to the specific detailed rules drawn up in accordance with the second subparagraph of Article 349 (5) of the Act of Accession;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession of Spain and Portugal, the institutions of the Community may adopt before accession the measures referred to in Article 349 of the Act of Accession, those measures entering into force subject to and on the date of the entry into force of that Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of Portugal authorized to fish in waters falling under the sovereignty or within the jurisdiction of the other Member States, other than Spain, as provided for in Article 349 of the Act of Accession, the rules governing access and the catch possibilities for certain species are as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

It shall be applicable until 31 December 1986.

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

Done at Brussels, 31 December 1985.

For the Council
The President
R. STEICHEN

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

ANNEX

PORTUGAL – EEC

Species	Quantity (t)	ICES zone	Authorized fishing gear	Total number of vessels	Period of fishing authorization
Blue whiting (<i>Micromesistius poutassou</i>)	3 000	V b, VI, VII, VIII a, b, d (¹) (²)	Beam trawl	5 (³) 2 (⁴)	year-round
Horse mackerel (<i>Trachurus trachurus</i>)	3 000	V b, VI, VII, VIII a, b, d (¹) (²)	Beam trawl	6 (³) 4 (⁴)	year-round
Thunnidae	unlimited	V b, VI, VII, VIII a, b, d (¹) (²)	Troll line	unlimited	year-round

(¹) Except for the zone to the south of latitude 56°30' North, to the east of longitude 12° West and to the north of latitude 50°30' North.

(²) Waters falling under the sovereignty and within the jurisdiction of Member States of the Community other than Spain and Portugal.

(³) Total number (basic list) of standard Portuguese vessels; standard vessel means a vessel having a brake horsepower equal to 700 horsepower (BHP). The conversion rates for vessels having a different engine power are the same as those defined in Article 158 paragraph 2 of the Act of Accession.

(⁴) Total number of vessels by Member State authorized simultaneously to carry out fishing activities (periodic list).

COUNCIL REGULATION (EEC) No 3781/85

of 31 December 1985

laying down the measures to be taken in respect of operators who do not comply with certain provisions relating to fishing contained in the Act of Accession of Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 163 (3), 164 (2), 165 (8), 349 (5), 351 (5) and 352 (9) thereof,

Having regard to the proposal from the Commission,

Whereas, in order to ensure compliance with the rules on access to waters and resources laid down in the Act of Accession, it is necessary to adopt provisions under which Member States prohibit, for a certain period, fishing by an operator who does not comply with those rules, supplementing Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as last amended by Regulation (EEC) No 3723/85 ⁽²⁾;

Whereas, pursuant to Article 164 (2) of the Act of Accession, the specialized fishing activities of vessels flying the flag of a present Member State in the waters falling under the sovereignty or within the jurisdiction of Spain are to be carried out in accordance with the same access and control procedures as those specified for Spanish vessels authorized to carry out their fishing activities in the fishing zones of the present Member States; whereas, as regards the other fishing activities carried out under Article 164 (1) of the Act of Accession, it is appropriate to apply to the vessels concerned arrangements comparable to those applicable to the non-specialized fishing activities of vessels flying the flag of Spain in waters falling under the sovereignty or within the jurisdiction of the present Member States;

Whereas provision should be made for adopting the necessary implementing rules in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽³⁾;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession of Spain and Portugal, the institutions of the European Communities may adopt before accession the measures referred to in Articles 163, 164, 165, 349, 351 and 352 of the Act of Accession, these measures entering into force subject to and on the date of accession.

Article 1

This Regulation lays down the measures intended to ensure compliance with the rules on access to waters and resources contained in Articles 163, 164, 165, 349, 351 and 352 of the Act of Accession by fishing vessels flying the flag of a Member State or registered in a Member State.

Article 2

1. The competent authorities of Member States shall without delay notify the Commission and the flag Member State or the Member State of registration, hereinafter referred to as the 'Member State', of any infringement of the rules referred to in Article 1, giving the name and identification marks of the vessel concerned, the name of the skipper, owner and, where appropriate, charterer, the circumstances of the infringement and any penal, administrative or other measures taken, and any court decision relating to such infringement.

2. On the basis of a judicial decision notified or in any other case of recorded infringement of the rules mentioned in paragraph 1, the Member State may no longer enter the vessel concerned, under the conditions provided for in Articles 3 and 4, on the draft periodical lists which it submits to the Commission.

Article 3

1. Subject to paragraph 2, the Member State may no longer enter the vessel for which the infringement has been recorded pursuant to Article 2 (2) on a draft periodical list during a period of four months; such a period may be extended to up to twelve months in the case of a further infringement.

2. In the case of the specialized fishing referred to in Articles 160, 164, 349 and 351 of the Act of Accession, and in the case of fishing for albacore tuna, swordfish, blue shark and Ray's bream as referred to in Articles 165 and 352 of the said Act, the period of non-entry shall be two months and may be extended to up to four months in the case of a further infringement.

Article 4

1. Where it has been recorded, pursuant to Article 2 (2), that a vessel has fished without authorization, it may no

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 2.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

⁽³⁾ OJ No L 24, 27. 1. 1983, p. 1.

longer be entered by the flag Member State on a draft periodic list:

- (a) for a period of four months in the case of the specialized fishing referred to in Articles 160, 164, 165, 349 and 351 of the Act of Accession and in the case of fishing for albacore tuna, swordfish, blue shark and Ray's bream, as referred to in Articles 165 and 352 of the said Act; such period may be extended to up to six months in the case of a further infringement.
- (b) for a period of eight months in the case of fishing other than that referred to in (a); such period may be extended to up to eighteen months in the case of a further infringement.

2. However, instead of taking the measures provided for in paragraph 1, the Member State may refuse entry on a draft

periodic list, for the same periods, to another vessel, fitted out by the owner or charterer of the first vessel, which, when the infringement occurred, appeared on a periodic list.

Article 5

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 170/83.

Article 6

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

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

Done at Brussels, 31 December 1985.

For the Council

The President

R. STEICHEN

COUNCIL REGULATION (EEC) No 3782/85

of 31 December 1985

amending for the sixth time Regulation (EEC) No 171/83 in particular by the addition of technical conservation measures applicable to maritime waters falling within the sovereignty or jurisdiction of Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 396 thereof,

Having regard to the proposal from the Commission,

Whereas Article 26 of the Act of Accession in conjunction with Annex I, part XV, section 9, amended Article 1 of Council Regulation (EEC) No 171/83 of 25 January 1983 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as last amended by Regulation (EEC) No 3625/84 ⁽²⁾, by extending the zones to include the maritime waters falling within the sovereignty or jurisdiction of Spain and Portugal and covered by the common fisheries policy;

Whereas, in accordance with Article 27 of the Act of Accession in conjunction with Annex II, part IX, section 4, the abovementioned Regulation (EEC) No 171/83 should be supplemented by technical conservation measures which take account of the particularities of the fisheries in these new zones;

Whereas Regulation (EEC) No 171/83 is no longer applicable to the waters around the archipelago of Saint Pierre and Miquelon;

Whereas pending a review of all the technical measures laid down in that Regulation, the date on which the Council was to decide whether to increase certain mesh sizes should be extended;

Whereas to take account of the biological situation, the mesh size applicable to the waters off the coast of the department of French Guiana must be amended;

Whereas under Article 2 (3) of the Treaty of Accession, the institutions of the Community may adopt before accession the measures referred to in Article 396 of the Act, such measures entering into force subject to and on the date of the entry into force of the said Treaty,

Article 1

Regulation (EEC) No 171/83 is hereby amended as follows:

1. In Article 1:

- (a) the provisions in paragraph 1 relating to region 1 are replaced by the following:

'Region 1

All waters which lie to the north and the west of a line running from a point at latitude 48°N, longitude 18°W; thence due north to latitude 60°N; thence due east to longitude 5°W; thence due north to latitude 60°30'N; thence due east to longitude 4°W; thence due north to latitude 64°N; thence due east to the coast of Norway;';

- (b) the following paragraph is added:

'7. The definition of the FAO regions, sub-regions and divisions referred to in this Regulation is given in a Commission Communication ⁽⁴⁾.';

- (c) the following footnote is added:

'⁽⁴⁾ OJ No C 335, 24. 12. 1985, p. 2.'.

2. In Article 2 (2) and Article 4 (2), 31 December 1985 is replaced by 31 March 1986;

3. Article 5 is replaced by the following:

*'Article 5***Hake**

Trawls, Danish seines or similar nets having mesh sizes smaller than 80 mm may not be used for directed fishing for hake in regions 2, 3 and 5.';

4. The first indent of Article 12 (1) (a) is replaced by the following:

'— in regions 2, 3, 4 and 5';

5. Article 12 (1) (c) is replaced by the following:

'(c) without prejudice to Article 1 (1), in waters situated outside the regions falling within the sovereignty or jurisdiction of the Member States, in regions 1, 2, 3, 4 and 5;';

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 14.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 3.

6. The following paragraph is added in Article 14
'5. The use of beam trawls to fish for anchovies in ICES sub-area VIII c is prohibited.'
7. In Annex I the data relating to regions 3 to 6 are replaced and supplemented by those relating to regions 3 to 8 in Annex I to this Regulation;
8. In Annex II, the data relating to region 3 are replaced by those relating to regions 3, 4 and 5 in Annex II to this Regulation;
9. In Annex IV, the data relating to region 3 are replaced by those relating to regions 3, 4 and 5 in Annex III to this Regulation;
10. The table in Annex V is replaced by that in Annex IV to this Regulation;
11. Annex VI is supplemented by the data in Annex V to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

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

Done at Brussels, 31 December 1985.

For the Council
The President
R. STEICHEN

ANNEX I

Region	Part of region	Type of net	Minimum mesh size (mm)
3		All	65
4		Token entry	Token entry
5		All	65
6		All	100
7		Token entry	Token entry
8		Token entry	Token entry

ANNEX II

Species	Minimum mesh size (mm)
<i>Region 3</i>	
Bastard sole (<i>Dicologlossa cuneata</i>)	40
Sardine (<i>Sardina pilchardus</i>)	20
Shrimps (<i>Crangon spp.</i>)	20
Prawns (<i>Parapenaeus longirostris</i>)	60
Prawns (<i>Aristeus antennatus</i> or <i>Aristeomorpha foliacea</i>)	45
Trumpet fish (<i>Macrorhamphosus spp.</i>)	25
Blue whiting (<i>Micromesistius poutassou</i>)	40
Eels (except elvers) (<i>Anguilla anguilla</i>)	20
Sprat (<i>Clupea sprattus</i>)	16
Anchovy (<i>Engraulis encrasicolus</i>)	16
Sand-eel (<i>Ammodytidae</i>)	16
Herring (<i>Clupea harengus</i>)	40
Horse mackerel (<i>Trachurus trachurus</i>)	40
Mackerel (<i>Scomber scombrus</i>)	40
<i>Region 4</i>	Token entry
<i>Region 5</i>	
Spanish mackerel (<i>Scomber japonicus</i>)	20
Horse mackerel (<i>Trachurus picturatus</i>)	20
Bogue (<i>Boops boops</i>)	20
Sardine (<i>Sardina pilchardus</i>)	20
<i>Region 6</i>	
Prawns (<i>Penaeus subtilis</i>)	45
Prawns (<i>Penaeus brasiliensis</i>)	45
Prawns (<i>Xiphopenaeus kroyeri</i>)	45

ANNEX III

Region	Part of region	Minimum mesh size (mm)
3		50
4	Token entry	Token entry
5	Token entry	Token entry

ANNEX IV

Minimum size referred to in Article 11 (3)

(in cm)

Species	Region 1	Region 2	Region 3	Region 4	Region 5
Cod (<i>Gadus morhua</i>)	34 ⁽¹⁾	30 ⁽²⁾	30	—	—
Haddock (<i>Melanogrammus aeglefinus</i>)	31	27	27	—	—
Hake (<i>Merluccius merluccius</i>)	30	30	30	t.e.	t.e.
Plaice (<i>Pleuronectes platessa</i>)	25	27 ⁽⁵⁾	25	t.e.	t.e.
Witch (<i>Glyptocephalus cynoglossus</i>)	28	28	28	—	—
Lemon sole (<i>Microstomus kitt</i>)	25	25	25	t.e.	—
Sole (<i>Solea solea</i>)	24	24	24	t.e.	t.e.
Turbot (<i>Psetta maxima</i>)	30	30	30	t.e.	t.e.
Brill (<i>Scophthalmus rhombus</i>)	30	30	30	t.e.	—
Megrim (<i>Lepidorhombus spp.</i>)	25	25	25	t.e.	t.e.
Whiting (<i>Merlangius merlangus</i>)	27	27 ⁽³⁾	23	t.e.	—
Dab (<i>Limanda limanda</i>)	15	23 ⁽⁵⁾	15	t.e.	—
Saithe (<i>Pollachius virens</i>)	35	30	30	—	—
Common sea bream (<i>Pagellus bogaraveo</i>)	—	—	12	t.e.	t.e.
Red Mullet (<i>Mullus surmuletus</i>)	—	—	15	t.e.	t.e.
Bass (<i>Dicentrarchus labrax</i>)	—	t.e.	—	t.e.	t.e.
Conger eel (<i>Conger conger</i>)	—	—	58	t.e.	t.e.
Pollack (<i>Pollachius pollachius</i>)	—	—	22	—	—
Ling (<i>Molva molva</i>)	—	t.e.	63	t.e.	t.e.
Shad (<i>Alosa spp.</i>)	—	—	30	t.e.	t.e.
Sturgeon (<i>Acipenser sturio</i>)	—	—	145	t.e.	—
Grey Mullet (<i>Mugil spp.</i>)	—	—	20	t.e.	t.e.
Salmon (<i>Salmo salar</i>)	—	—	48	t.e.	—
Trout (<i>Salmo trutta</i>)	—	—	23	t.e.	—
Flounder (<i>Platichthys flesus</i>)	—	20 ⁽⁴⁾	—	t.e.	—

t.e. = token entry.

ANNEX V

Species	Region	Part of region	Minimum size
Spanish mackerel (<i>Scomber japonicus</i>)	5		15 cm
Horse mackerel (<i>Trachurus picturatus</i>)	5		14 cm

COUNCIL REGULATION (EEC) No 3783/85
of 31 December 1985
allocating, for 1986, Community catch quotas in Greenland waters

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 Article 11 thereof,

Having regard to the proposal from the Commission,

Having regard to the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽²⁾,

Having regard to the Protocol on the conditions relating to fishing between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽³⁾, fixing the catch quotas allocated to the Community in Greenland waters,

Whereas these catch quotas may be taken by vessels which do not fly the flag of a Member State of the Community, to the extent to which this is necessary for the proper functioning of the fisheries agreements concluded by the Community with third countries; whereas the Community has agreed to allocate part of its catch quotas in Greenland waters in 1986 to Norway;

Whereas the Community and Greenland have held consultations on the application of the Agreement and the Protocol in 1986; whereas the parties agreed that the Community catch quotas may be fished in 1986 as set out in the Annex to this Regulation;

Whereas, under Article 3 of Regulation (EEC) No 170/83, it is incumbent upon the Council to fix the total allowable catch for each stock or group of stocks, the share available to the Community and the specific conditions for taking these catches; whereas, under Article 4 of the said Regulation, the share available to the Community is to be distributed among the Member States;

Whereas information regarding actual catches must be made available in order to ensure that the allocations are complied with.

HAS ADOPTED THIS REGULATION:

Article 1

The allocation in 1986 of the Community catch quotas in Greenland waters shall be as set out in the Annex.

Article 2

Member States and the masters of vessels flying the flag of a Member State shall comply, as far as fishing in Greenland waters is concerned, with 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 3723/85 ⁽⁵⁾.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1986.

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

Done at Brussels, 31 December 1985.

For the Council
The President
R. STEICHEN

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 29, 1. 2. 1985, p. 9.

⁽³⁾ OJ No L 29, 1. 2. 1985, p. 14.

⁽⁴⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽⁵⁾ OJ No L 361, 31. 12. 1985, p. 42.

ANNEX

Allocation of Community catch quotas in Greenland waters for 1986

Species	Area	Community catch quotas (tonnes)	Member State shares (tonnes)		Norwegian shares (tonnes) (shown for information only)	Faroe quotas in Greenland waters according to EC/Greenland Fisheries Protocol ⁽¹⁾ (tonnes) (shown for information only)
1	2	3	4		5	6
Cod	NAPO 1 ICBS XIV/V	p.m. 11 500	Germany United Kingdom	10 000 1 500	—	
Redfish	NAPO 1 ICBS XIV/V	10 000 57 820	Germany United Kingdom Germany France United Kingdom	9 810 190 57 140 410 270	— —	 500
Greenland halibut	NAPO 1 ICBS XIV/V	1 850 3 750	Germany United Kingdom Germany United Kingdom	1 575 75 3 375 175	 200 200	 150 150
Halibut	NAPO 1	200		—	200 ⁽²⁾	
Deep-water prawns	NAPO 1 ICBS XIV/V	1 600 3 350	France Denmark France Denmark	575 575 650 650	450 ⁽³⁾ 2 050	475 ⁽³⁾ 675
Catfish	NAPO 1	2 000	Germany	2 000	—	
Blue whiting	ICBS XIV/V	30 000	Denmark France Germany	3 000 3 000 24 000	—	
Capelin	ICBS XIV/V	20 000	Denmark	20 000		10 000

⁽¹⁾ These Faroeese quotas are additional to the Community catch quotas and form part of the fishery arrangement for 1986 agreed on by the Community and the Faroe Islands.

⁽²⁾ Only to be fished by long-liners.

⁽³⁾ South of 68° N.