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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 941/2006
of 1 June 2006
amending Regulation (EC) No 51/2006, as concerns blue whiting and herring

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 20 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Council Regulation (EC) No 51/2006 ⁽²⁾ fixes for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.

(2) Pursuant to consultations between the Community and the Faeroe Islands on 23 February 2006 an arrangement on mutual access on blue whiting stock and the herring stock in each other's, fishing zones has been reached. This arrangement should be implemented.

(3) Since vessels that targeted hake with gill-nets in ICES Divisions VIa, b and VIIb, c, j, k and subarea XII were not implicated in the fishing practices that led to the prohibition of the use of gill-nets in those areas, it is appropriate to allow these fisheries to continue by way of derogation from the prohibition.

(4) The Community has held consultations with Norway on the management of fisheries on the stock of Norwegian spring spawning (Atlanto-Scandian) herring in the North-East Atlantic, in particular, with regard to licensing arrangements, which should be implemented.

(5) Regulation (EC) No 51/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IA, IB and IV to Regulation (EC) No 51/2006 shall be amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 1 June 2006.

For the Council
The President
U. HAUBNER

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 16, 20.1.2006, p. 1.

ANNEX

The Annexes to Regulation (EC) No 51/2006 shall be amended as follows:

1. in Annex IA, the entry concerning the species Blue whiting in zone I, II, III, IV, V, VI, VII, VIIIabde, XII and XIV (EC and international waters) shall be replaced by the following:

'Species:		Zone: I, II, III, IV, V, VI, VII, VIIIabde, XII and XIV (EC and international waters)
Blue whiting <i>Micromesistius poutassou</i>		WHB/1 X 14
Denmark	52 529 ⁽⁵⁾ ⁽⁶⁾	Analytical TAC. Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.
Germany	20 424 ⁽⁵⁾ ⁽⁶⁾	
Spain	44 533 ⁽⁵⁾ ⁽⁶⁾	
France	36 556 ⁽⁵⁾ ⁽⁶⁾	
Ireland	40 677 ⁽⁵⁾ ⁽⁶⁾	
The Netherlands	64 053 ⁽⁵⁾ ⁽⁶⁾	
Portugal	4 137 ⁽⁵⁾ ⁽⁶⁾	
Sweden	12 994 ⁽⁵⁾ ⁽⁶⁾	
United Kingdom	68 161 ⁽⁵⁾ ⁽⁶⁾	
EC	344 063 ⁽⁵⁾ ⁽⁶⁾	
Norway	152 442 ⁽¹⁾ ⁽²⁾	
Faeroe Islands	45 000 ⁽³⁾ ⁽⁴⁾	
TAC	2 000 000	

(¹) May be fished in EC waters in areas II, IVa, VIa north of 56° 30' N, VIb, VII west of 12° W.
(²) Of which up to 500 tonnes may consist of argentine (*Argentina spp.*).
(³) Catches of blue whiting may include unavoidable catches of argentine (*Argentina spp.*).
(⁴) May be fished in EC waters in areas VIa north of 56° 30' N, VIb, VII west of 12° W.
(⁵) Of which up to 61 % may be fished in Norwegian Economic Zone or in the fishery zone around Jan Mayen.
(⁶) Of which up to 2,9 % may be fished in Faeroese waters, zone Vb.'

2. in Annex IA, the following entry shall be inserted after the above entry:

'Species:		Zone: EC waters of II, IVa ⁽²⁾ , VIa ⁽³⁾ , VIb, VII ⁽⁴⁾
Blue whiting <i>Micromesistius poutassou</i>		WHB/24A567
Faeroe Islands	10 000 ⁽¹⁾	
TAC	2 000 000	

(¹) To be counted against Faeroe Islands' catch limits established under the Coastal States arrangement.
(²) The catch in zone IVa shall be no more than 2 500 tonnes.
(³) North of 56° 30' N.
(⁴) West of 12° W.'

3. in Annex IB, the entry concerning the species Herring in zone I and II (EC and international waters) shall be replaced by the following:

Species:		Zone: EC waters and international waters of I and II
Herring <i>Clupea harengus</i>		HER/1/2.
Belgium	22	
Denmark	21 243	
Germany	3 720	
Spain	70	
France	917	
Ireland	5 499	
The Netherlands	7 602	
Poland	1 075	
Portugal	70	
Finland	329	
Sweden	7 872	
United Kingdom	13 581	
EC	62 000	
Faeroe Islands	6 196 ⁽¹⁾	
TAC	Not relevant	

Articles 3 and 4 of Regulation (EC) No 847/96 do not apply and Article 5(2) of that Regulation applies.

Special conditions:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified:

II, Vb north of 62° N (Faeroese waters) (HER/2A5B-F)

Belgium	2
Denmark	2 117
Germany	371
Spain	7
France	91
Ireland	548
The Netherlands	758
Poland	107
Portugal	7
Finland	32
Sweden	784
United Kingdom	1 354

⁽¹⁾ May be fished in EC waters.'

4. in Part A of Annex III the following point shall be added:

'8.5. By way of derogation from points 8.3 and 8.4 vessels targeting hake may deploy gill-nets with a mesh size of 120 mm in the areas concerned at any position where the charted depth is less than 600 metres.'

5. Parts I and II of Annex IV shall be replaced by the following:

PART I

Quantitative limitations of licences and fishing permits for Community vessels fishing in third country waters

Area of fishing	Fishery	Number of licences	Allocation of licences amongst Member States	Maximum number of vessels present at any time
Norwegian waters and fishery zone around Jan Mayen	Herring, north of 62° 00' N	77	DK: 26, DE: 5, FR: 1, IRL: 7, NL: 9, SW: 10, UK: 17	57
	Demersal species, north of 62° 00' N	80	FR: 18, PT: 9, DE: 16, ES: 20, UK: 14, IRL: 1	50
	Mackerel, south of 62° 00' N, purse seine fishery	11	DE: 1 ⁽¹⁾ , DK: 26 ⁽¹⁾ ,	not relevant
	Mackerel, south of 62° 00' N, trawl fishery	19	FR: 2 ⁽¹⁾ , NL: 1 ⁽¹⁾	not relevant
	Mackerel, north of 62° 00' N, purse seine fishery	11 ⁽²⁾	DK: 11	not relevant
	Industrial species, south of 62° 00' N	480	DK: 450, UK: 30	150
Waters of the Faeroe Islands	All trawl fisheries with vessels of not more than 180 feet in the zone between 12 and 21 miles from the Faeroese baselines	26	BE: 0, DE: 4, FR: 4, UK: 18	13
	Directed fishing for cod and haddock with a minimum mesh of 135 mm, restricted to the area south of 62° 28' N and east of 6° 30' W	8 ⁽³⁾		4
	Trawling outside 21 miles from the Faeroese baseline. In the periods 1 March to 31 May and 1 October to 31 December, these vessels may operate in the area between 61° 20' N and 62° 00' N and between 12 and 21 miles from the baselines.	70	BE: 0, DE: 10, FR: 40, UK: 20	26
	Trawl fisheries for blue ling with a minimum mesh of 100 mm in the area south of 61° 30' N and west of 9° 00' W and in the area between 7° 00' W and 9° 00' W south of 60° 30' N and in the area south-west of a line between 60° 30' N, 7° 00' W and 60° 00' N, 6° 00' W.	70	DE: 8 ⁽⁴⁾ , FR: 12 ⁽⁴⁾ , UK: 0 ⁽⁴⁾	20 ⁽⁵⁾
	Directed trawl fishery for saithe with a minimum mesh size of 120 mm and with the possibility to use round-traps around the codend.	70		22 ⁽⁵⁾
	Fisheries for blue whiting. The total number of licences may be increased by four vessels to form pairs, should the Faeroese authorities introduce special rules of access to an area called "main fishing area of blue whiting"	36	DE: 3, DK: 19, FR: 2, UK: 5, NL: 5	20
	Line fishing	10	UK: 10	6
	Fishing for mackerel	12	DK: 12	12
	Herring fisheries north of 62° N	21	DE: 1, DK: 7, FR: 0, UK: 5, IRL: 2, NL: 3, SW: 3	21

Area of fishing	Fishery	Number of licences	Allocation of licences amongst Member States	Maximum number of vessels present at any time
Waters of the Russian Federation	All fisheries	pm		pm
	Fisheries for cod	7 ⁽⁶⁾		pm
	Fisheries for sprat	pm		pm

⁽¹⁾ This allocation is valid for purse and trawl fisheries.

⁽²⁾ To be selected from the 11 licences for purse seine fishery for mackerel south of 62° 00' N.

⁽³⁾ Following the Agreed Record of 1999, the figures for the directed fishing for cod and haddock are included in the figures for "All trawl fisheries with vessels of not more than 180 feet in the zone between 12 and 21 miles from the Faeroese baselines".

⁽⁴⁾ These figures refer to the maximum number of vessels present at any time.

⁽⁵⁾ These figures are included in the figures for "Trawling outside 21 miles from the Faeroese baselines".

⁽⁶⁾ Applies only to vessels flying the flag of Latvia.

PART II

Quantitative limitations of licences and fishing permits for third country fishing vessels in Community waters

Flag State	Fishery	Number of licences	Maximum number of vessels present at any time
Norway	Herring, north of 62° 00' N	18	18
Faeroe Islands	Mackerel, VIa (north of 56° 30' N), VIIe,f,h, horse mackerel, IV, VIa (north of 56° 30' N), VIIe,f,h; herring, VIa (north of 56° 30' N)	14	14
	Herring north of 62° 00' N	21	21
	Herring, IIIa	4	4
	Industrial fishing for Norway pout and sprat, IV, VIa (north of 56° 30' N); sandeel, IV (including unavoidable by-catches of blue whiting)	15	15
	Ling and tusk	20	10
	Blue whiting, II, IVa, VIa (north of 56° 30' N), VIb, VII (west of 12° 00' W)	20	20
	Blue ling	16	16
Russian Federation	Herring, IIId (Swedish waters)	pm	pm
	Herring, IIId (Swedish waters, non-fishing mother ships)	pm	pm
	Sprat	4 ⁽¹⁾	pm
Barbados	<i>Penaeus</i> shrimps ⁽²⁾ (French Guyana waters)	5	pm ⁽³⁾
	Snappers ⁽⁴⁾ (French Guyana waters)	5	pm
Guyana	<i>Penaeus</i> shrimps ⁽⁵⁾ (French Guyana waters)	pm	pm ⁽⁶⁾
Surinam	<i>Penaeus</i> shrimps ⁽⁵⁾ (French Guyana waters)	5	pm ⁽⁷⁾
Trinidad and Tobago	<i>Penaeus</i> shrimps ⁽⁵⁾ (French Guyana waters)	8	pm ⁽⁸⁾
Japan	Tuna ⁽⁹⁾ (French Guyana waters)	pm	
Korea	Tuna ⁽¹⁰⁾ (French Guyana waters)	pm	pm ⁽⁵⁾
Venezuela	Snappers ⁽⁵⁾ (French Guyana waters)	41	pm
	Sharks ⁽⁵⁾ (French Guyana waters)	4	pm

⁽¹⁾ Applies only to the Latvian zone of EC waters.

⁽²⁾ The licences concerning fishing for shrimp in the waters of the French Department of Guyana shall be issued on the basis of a fishing plan submitted by the authorities of the third country concerned, approved by the Commission. The period of validity of each of these licences shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued.

⁽³⁾ The annual number of days at sea is limited to 200.

⁽⁴⁾ To be fished exclusively with long lines or traps (snappers) or long lines or mesh nets having a minimum mesh size of 100 mm, at depths greater than 30 m (sharks). To issue these licences, proof must be produced that a valid contract exists between the ship owner applying for the licence and a processing undertaking situated in the French Department of Guyana, and that it includes an obligation to land at least 75 % of all snapper catches, or 50 % of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.

The contract referred to above must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guyanese economy. A copy of the duly endorsed contract shall be appended to the licence application.

Where the endorsement referred to above is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission.

⁽⁵⁾ Applicable from 1 January to 30 April 2006.

⁽⁶⁾ Pending the conclusion of fisheries consultations with Norway for 2006.

⁽⁷⁾ The annual number of days at sea is limited to pm.

⁽⁸⁾ The annual number of days at sea is limited to 350.

⁽⁹⁾ To be fished exclusively with longlines.

⁽¹⁰⁾ Of which at any given time a maximum of 10 for vessels fishing cod with gill-nets.