

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 601 final

Brussels, 1 December 1989

Proposal for a
COUNCIL DECISION

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

Proposal for a
COUNCIL REGULATION (EEC)

on the conclusion of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

(presented by the Commission)

EXPLANATORY MEMORANDUM

Com 607

The Protocol annexed to the fisheries Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau, signed in Bissau on 27 February 1980 and last amended by the Agreement signed in Brussels on 29 June 1987, expired on 15 June 1989.

Following negotiations held in Brussels on 7, 8 and 9 June 1989, a new Protocol between the European Economic Community and the Government of the Republic of Guinea-Bissau was initialled on 9 June 1989.

The new Protocol lays down the following fishing rights for the period from 16 June 1989 to 15 June 1991:

- (1a) Freezer shrimp trawlers: 10 000 grt a month, annual average
- (1b) Freezer fin fish and cephalopod trawlers: 5 000 grt a month, annual average
- (2) Freezer tuna seiners: 45 vessels
- (3) Pole-and-line tuna vessels: 15 vessels,
- (4) Surface longliners: 35 vessels.

The Community will pay ECU 10 830 000 million in financial compensation during the life of the Protocol, and will also contribute ECU 550 000 to help finance a Guinea-Bissau scientific or technical programme.

In addition, ECU 550 000 will be provided in awards for study and practical training.

New fees to be paid by shipowners have also been fixed.

In the light of the foregoing, the Commission proposes that, as soon as possible, the Council:

1. adopt the Decision attached hereto in order to conclude the Agreement in the form of an exchange of letters on the provisional application of the Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau for the period from 16 June 1989 to 15 June 1991;
2. adopt the Regulation attached hereto in order to conclude the Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau for the period from 16 June 1989 to 15 June 1991.

PROPOSAL FOR A
COUNCIL DECISION

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

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 155(2)(b) thereof,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980¹ and last amended by the Agreement signed in Brussels on 29 June 1987,²

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Guinea-Bissau conducted negotiations to determine the amendments or additions to be made to the Agreement on fishing off the coast of Guinea-Bissau at the end of the period of application of the Protocol;

Whereas, as a result of these negotiations, a new Protocol was initialled on 9 June 1989;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of the Republic of Guinea-Bissau for the period from 16 June 1989 to 15 June 1991;

1 OJ No L 226, 29.8.1980, p. 33.

2 OJ No L 113, 30.4.1987, p. 1.

Whereas, under Article 155(2)(b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the Protocol in question be approved as soon as possible; whereas, for this reason, the two Parties initialled an Agreement in the form of an exchange of letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocol in force; whereas the Agreement in the form of an exchange of letters should be concluded pending a final decision taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources

shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands.¹

Article 3

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

Done at Brussels,

1989

For the Council
The President

1 OJ No L 56, 1.3.1986, p. 1.

PROPOSAL FOR A
COUNCIL REGULATION (EEC) No

on the conclusion of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155(2)(b) thereof,

Having regard to the proposal from the Commission,¹

Having regard to the opinion of the European Parliament,²

Whereas, pursuant to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980³ and last amended by the Agreement signed in Brussels on 29 June 1987,⁴ the two Parties conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the period of application of the Protocol;

Whereas, as a result of these negotiations, a new Protocol establishing the fishing rights and financial compensation provided for in the above-mentioned Agreement for the period from 16 June 1989 to 15 June 1991 was initialled on 9 June 1989;

1 OJ No L
2 OJ No L
3 OJ No L 226, 29.8.1980, p. 33.
4 OJ No L 113, 30.4.1987, p. 1.

Whereas, under Article 155(2)(b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas it is in the Community's interest to conclude the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands.¹

1 OJ No L 56, 1.3.1986, p. 1.

Article 3

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

Article 4

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

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

Done at Brussels,

1989

For the Council
The President

Protocol

establishing for the period from 16 June 1989 to 15 June 1991
the fishing rights and financial compensation
provided for in the Agreement between the European Economic Community
and the Government of the Republic of Guinea-Bissau on
fishing off the coast of Guinea-Bissau

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980 and last amended by the Agreement signed in Brussels on 29 June 1987,

HAVE AGREED AS FOLLOWS:

Article 1

For a period of two years from 16 June 1989, the fishing rights granted under Article 4 of the Agreement shall be as follows:

- (1a) Freezer shrimp trawlers: 10 000 grt a month, annual average
- (1b) Freezer fin fish and cephalopod trawlers: 5 000 grt a month, annual average
- (2) Freezer tuna seiners: 45 vessels
- (3) Pole-and-line tuna vessels: 15 vessels,
- (4) Surface longliners: 35 vessels.

Article 2

1. The financial compensation referred to in Article 9 of the Agreement shall be, for the period referred to in Article 1, ECU 10 830 000, payable in two equal annual instalments.
2. The use to which this compensation is put shall be the sole responsibility of the Government of the Republic of Guinea-Bissau.
3. The compensation shall be paid into an account opened with a financial institution or any other body designated by Guinea-Bissau.

Article 3

At the request of the Community, the fishing rights referred to in Article 1(1) may be increased by successive instalments of 1 000 grt a month, calculated on an annual average basis. In this case, the financial compensation referred to in Article 2 shall be increased proportionately.

Article 4

The Community shall also contribute during the period referred to in Article 1 the sum of ECU 550 000 towards the financing of a Guinea-Bissau scientific or technical programme to improve information on the fishery resources within the exclusive economic zone of Guinea-Bissau and the functioning of the marine biology laboratory.

This sum shall be made available to the Government of the Republic of Guinea-Bissau and paid into the account indicated by the Guinea-Bissau authorities.

Article 5

The two Parties agree that improving the skills of those involved in sea fishing is a vital element in the success of their cooperation. To that end, the Community shall make it easier for nationals of Guinea-Bissau to find places in establishments in its Member States and shall provide for that purpose, during the period referred to in Article 1, awards for study and practical training in the various scientific, technical and economic disciplines relating to fisheries. The awards may also be used in any country linked with the Community by a cooperation agreement. The total cost of the awards may not exceed ECU 550 000. At the request of the Guinea-Bissau authorities, part of this sum may be used to cover the costs of participation in international meetings or training courses concerning fisheries or the organization of seminars on fishing in Guinea-Bissau, or to strengthen the administrative infrastructure of the Office of the Secretary of State for Fisheries. The sum shall be payable as and when it is used.

Article 6

Should the Community fail to make the payments provided for in Articles 2 and 4, the application of this Protocol may be suspended.

Article 7

The Annex to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby repealed and replaced by the Annex to this Protocol.

Article 8

This Protocol shall enter into force on the date on which it is signed.

It shall be applicable from 16 June 1989.

DRAFT AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period from 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. Letter from the Government of Guinea-Bissau

Sir,

With reference to the Protocol initialled on 9 June 1989 establishing fishing rights and financial compensation for the period from 16 June 1989 to 15 June 1991, I have the honour to inform you that the Government of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same. The period of validity of licences valid at 15 June 1989 is extended to 1 August 1989.

This is on the understanding that a first instalment equal to half of the financial compensation specified in Article 2 of the Protocol is paid by 30 October 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

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

For the Government of
the Republic of Guinea-Bissau

B. Letter from the Community

Sir,

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

"With reference to the Protocol initialled on 9 June 1989 establishing fishing rights and financial compensation for the period from 16 June 1989 to 15 June 1991, I have the honour to inform you that the Government of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same. The period of validity of licences valid at 15 June 1989 is extended to 1 August 1989.

This is on the understanding that a first instalment equal to half of the financial compensation specified in Article 2 of the Protocol is paid by 30 October 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application."

I have the honour to confirm the European Economic Community's agreement to this provisional application of the Protocol.

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

On behalf of the Council
of the European Communities

ANNEX

Conditions for the exercise of fishing activities by Community vessels in Guinea-Bissau's fishing zone

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling Community vessels to fish in Guinea-Bissau's fishing zone shall be as follows:

The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau, via the Commission Delegation in Guinea-Bissau, an application for each vessel that is to be used for fishing under the Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Guinea-Bissau, specimens of which are attached hereto (Annex 1).

Each licence application shall be accompanied by proof of payment of the fee for the period of the licence's validity. Payment shall be made into the account referred to in Article 2 of the Protocol.

Licences for ~~tuna~~ seiners, pole-and-line tuna vessels and surface longliners shall be issued by the Guinea-Bissau authorities within the 30-day time limit laid down above to the shipowners or their representatives via the Delegation of the Commission of the European Communities in Guinea-Bissau.

Freezer trawlers must be present in the port of Bissau when the licence is handed over. The Delegation of the Commission of the European Communities shall be notified of each licence issued.

Licences shall be issued for a specific vessel and shall not be transferable. However, at the request of the European Economic Community, and where *force majeure* is proven, a vessel's licence shall be replaced by a new licence for another vessel whose features are similar to those of the first vessel. The owner of the first vessel shall return the cancelled licence to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau via the authorities of the Commission of the European Communities.

By way of derogation from Article 4(3) of the Agreement, licences shall be valid for quarterly, half-yearly or annual periods.

The licence must be held on board at all times.

1. Provisions applicable to trawlers

(a) For the duration of this Protocol the fees for annual licences shall be as follows:

ECU 100 per grt per year for fin fish trawlers;

ECU 116 per grt per year for cephalopod trawlers;

ECU 160 per grt per year for shrimp trawlers.

(b) For the duration of this Protocol the fees for half-yearly licences shall be as follows:

ECU 57.5 per grt per half-year for fin fish trawlers;

ECU 66.5 per grt per half-year for cephalopod trawlers;

ECU 92 per grt per half-year for shrimp trawlers.

(c) The fees for quarterly licences shall be as follows:

ECU 30 per grt per quarter for fin fish trawlers;

ECU 35 per grt per quarter for cephalopod trawlers;

ECU 48 per grt per quarter for shrimp trawlers.

However, vessels which land only 25 kg of fish per grt per quarter, in accordance with the provisions of part C of this Annex, shall be obliged to pay an additional fee of ECU 6 per grt per quarter.

2. Provisions applicable to tuna vessels and surface longliners

- (a) The fees shall be ECU 20 per tonne caught within Guinea-Bissau's fishing zone.
- (b) Licences shall be issued following payment to the Office of the Secretary of State for Fisheries of a lump sum of ECU 1 500 a year for each tuna seiner and ECU 300 a year for each pole-and-line tuna vessel and surface longliner, equivalent to the fees for:
- 75 tonnes of tuna caught per year in the case of seiners;
 - 15 tonnes caught per year in the case of pole-and-line tuna vessels and surface longliners.

The final statement of the fees due for the fishing period shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and confirmed by the scientific institutes responsible for verifying catch data (ORSTOM and IEO - Spanish Institute of Oceanography). The statement shall be forwarded simultaneously to the Office of the Secretary of State for Fisheries and to the shipowners. Any additional payment due shall be made by the shipowners to the Office of the Secretary of State for Fisheries of Guinea-Bissau by 31 May of the following year at the latest, in accordance with the procedure for payment set out in Article 2 of the Protocol.

However, if the amount of the final statement is lower than the above-mentioned amount, the resulting balance shall not be reimbursable.

B. Statement of catch

For all Community vessels authorized to fish in Guinea-Bissau's waters under the Agreement a statement of their catch must be provided to the Office of the Secretary of State for Fisheries, with a copy to the Commission Delegation in Guinea-Bissau, in accordance with the procedures set out below:

- for trawlers a statement shall be made out according to the specimen annexed hereto (Annex 2). The statements shall be drawn up each month and presented at least once each quarter;

- for tuna seiners, pole-and-line tuna vessels and surface longliners a fishing logshall be kept, in accordance with Annex 3, for each fishing period spent in Guinea-Bissau's fishing zone. The form must be sent, within 45 days of the end of the fishing voyage spent in the Guinea-Bissau fishing zone, to the Office of the Secretary of State for Fisheries via the Delegation of the Commission of the European Communities in Guinea-Bissau;
- forms must be completed legibly and be signed by the master of the vessel.

Should this provision not be adhered to, the Government of Guinea-Bissau reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

C. Landing of catch

Trawlers authorized to fish in the Guinea-Bissau fishing zone shall, in order to make a contribution towards supplying the local population with fish caught in the Guinea-Bissau fishing zone, be obliged to land the following quantities free of charge, on the basis of the list set out in Annex 1: 50 kg of fish per grt per quarter, of which 25 kg per grt per quarter is optional.

Landings may be made individually or collectively, mention being made of the vessels concerned.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions applied by the Guinea-Bissau authorities:

- fine of ECU 1 500 per tonne not landed, and
- withdrawal and non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

D. By-catch

1. Fin fish trawlers may not hold on board crustaceans representing more than 10% of their total catch in the Guinea-Bissau fishing zone.

Cephalopod trawlers may not hold on board crustaceans representing more than 5% or fish representing more than 10% of their total catch in the Guinea-Bissau fishing zone.

2. Pole-and-line tuna vessels shall, moreover, be authorized to fish for live bait in order to carry out their fishing activities in the Guinea-Bissau fishing zone.

E. Signing-on of seamen

1. Owners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Guinea-Bissau nationals, subject to the conditions and limits set out below:

(1) each trawler owner shall undertake to employ:

- two seamen/fishermen on vessels of up to 300 grt;
- three seamen/fishermen on vessels of between 300 grt and 400 grt;
- four seamen/fishermen on vessels of more than 400 grt.

(2) Owners of tuna vessels and surface longliners shall undertake to employ Guinea-Bissau nationals, subject to the conditions and limits set out below:

- for the fleet of tuna seiners, eight Guinea-Bissau seamen shall be signed on permanently in the Guinea-Bissau fishing zone;
- for the fleet of pole-and-line tuna vessels, eight Guinea-Bissau seamen shall be signed on for the tuna fishing season in the Guinea-Bissau fishing zone, all of them to be assigned to different vessels;
- for the fleet of surface longliners, eight Guinea-Bissau seamen shall be signed on for the fishing season in the Guinea-Bissau fishing zone, all of them to be assigned to different vessels.

3. The wages of these seamen/fishermen shall be fixed, before licences are issued, by mutual agreement between the shipowners or their representatives and the Office of the Secretary of State for Fisheries; the wages shall be borne by the shipowners and must include the social contributions to which the seaman is subject (including life assurance and accident and sickness insurance).

Should the seamen not be signed on, owners of tuna seiners, pole-and-line tuna vessels and surface longliners shall be obliged to pay a lump sum equivalent to the wages of seamen not signed on.

This sum will be used for the training of seamen/fishermen in Guinea-Bissau and is to be paid into an account specified by the Guinea-Bissau authorities.

F. Taking on board of observers

(1) The observer's task shall be to check on fishing activities in the Guinea-Bissau fishing zone. He shall be offered every facility needed to carry out his duties, including access to premises and documents. He must not remain on board any longer than is necessary for the accomplishment of his duties. The master of the vessel shall facilitate the work of the observer, who shall be accorded the conditions enjoyed by officers of the vessel. The salary and the social contributions of the observer shall be borne by the Government of Guinea-Bissau.

Should the observer be taken on board in a foreign port, his travelling costs shall be borne by the shipowner. Should a vessel with an observer on board leave the Guinea-Bissau fishing zone, all measures must be taken to ensure the observer's return to Guinea-Bissau as soon as possible at the expense of the shipowner.

(2) Each trawler shall take on board an observer designated by the Office of the Secretary of State for Fisheries.

(3) Tuna vessels and surface longliners shall take an observer on board at the request of the Office of the Secretary of State for Fisheries.

In that case, the port of embarkation shall be determined by mutual agreement between the Office of the Secretary of State for Fisheries and the shipowners or their representatives at a meeting to be arranged between the two parties.

G. Inspection and monitoring

Any Community vessel fishing in Guinea-Bissau's fishing zone shall allow on board any official of Guinea-Bissau responsible for inspection and monitoring and shall assist him in the accomplishment of his duties. The official must not remain on board any longer than is necessary for the verification of catches by random checks and for any other inspection relating to fishing activities.

H. Fishing zones

The freezer trawlers referred to in Article 1 of the Protocol shall be authorized to fish in waters beyond twelve nautical miles from the base lines.

I. Meshes authorized

The minimum mesh size authorized for the trawl body (mesh fully extended) shall be:

- (a) 60 mm for fin fish vessels;
- (b) 40 mm for cephalopod vessels;
- (c) 40 mm for shrimp vessels (this mesh shall be applicable from 1 August 1989);
- (d) 16 mm for fishing for live bait.

Outrigger fishing shall be authorized.

J. Entering and leaving the zone

All Community vessels fishing under the Agreement in the Guinea-Bissau zone shall communicate to the radio station of the Office of the Secretary of State for Fisheries the date and time and their position when entering and leaving the Guinea-Bissau fishing zone.

The call sign, frequency and working hours of the station shall be communicated to the shipowners by the Office of the Secretary of State for Fisheries at the time the licence is issued.

In cases where this radio communication cannot be used, vessels may use alternative means, such as telex (No 266 SEP BI) or telegram.

K. Procedure in case of boarding

The authorities of the Commission of the European Communities in Guinea-Bissau shall be notified within 48 hours of any boarding within the Guinea-Bissau fishing zone of a fishing vessel flying the flag of a Member State of the Community and shall at the same time receive a brief report of the circumstances and reasons leading to the boarding.

Should the case be brought before a competent judicial body, the Guinea-Bissau authorities may fix a bank security at the request of the Community or the shipowner.

In that case, the Guinea-Bissau authorities shall undertake to release the vessel within 24 hours following the lodging of the bank security.

The bank security shall be released by the competent authority once the master of the vessel concerned has been acquitted by the judicial decision.

Should one of the parties consider it necessary, it may request urgent consultations under Article 10 of the Agreement.

APPLICATION FORM
FOR A
FISHING LICENCE

For official use only	Remarks
Nationality:
Licence No:
Date of signing:
Date of issue:

APPLICANT

Name of firm:

Trade Register No:

First Name and ^{*surname*} ~~first name~~ of applicant:

Date and place of birth:

Occupation:

Address:

No of employees:

Name and address of co-signatory:

VESSEL

Type of vessel: Registration No:

New name: Former name:

Date and place of construction:

Original nationality:

Length: Beam: Hold:

Gross tonnage: Net tonnage:

Type of building materials:

Make of main engine: Type: Rating:

Propeller: Fixed: Variable: Ducted:

Transit speed:

Call sign: Call frequency:

List of sounding, navigating and transmission instruments:

Radar Sonar Netsonde
VHF SSB Netsonde Satellite navigation Other:

No of seamen:

CONSERVATION

Packed in ice Ice + refrigeration

Freezing in brine Dry Refrigerated sea water

Total refrigerating power:

Freezing capacity in tonnes/24 hours:

Hold capacity:

TYPE OF FISHING

A. Demersal

Inshore demersal Deep-sea demersal

Type of trawl: Cephalopods Shrimp Fish

Length of trawl: Headline:

Mesh size in the body:

Mesh size in the wings:

Speed of trawling:

B. Deep-sea pelagic (tuna)

Pole and line No of poles and lines

Seine

Length of net: Depth of net:

Capacity in tonnes:

No of tanks:

C. Longlines and pots

Surface Bottom

Length of lines: No of hooks:

No of lines:

No of pots:

SHORE INSTALLATIONS

Address and permit No:

Name of firm:

Activities:

Domestic wholesale fish trade

export

Type and No of wholesale trader's card:

Description of processing and conservation plant:

.....
.....
.....
.....
.....

No of employees:

NB: Indicate affirmative answers by a tick in the appropriate box.

Technical remarks

Authorization of the Office of the Secretary of State

REPUBLIC OF GUINEA-BISSAU
OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

BISSAU

APPROVED

(Director of Industrial Fisheries)

DECLARATION

_____ shipowner/representative of the sea-going vessel
(Name and registration number) _____
holding fishing licence No _____ valid from _____ to
_____ undertakes to land _____ tonnes of various fish, in
addition to the amounts licensed for the vessel referred to above, in the
port of Bissau on behalf of the Ministry of Fisheries. The fish should
preferably be of the following species: groupers (*Epinephelus* spp.;
Serranus spp.), sea breams (*Sparus* spp.), snappers (*Pagellus bellottii*,
Lethrinus atlanticus, *Lutjanus* spp.), barracudas (*Sphyraena* spp.), barbel
(*Galeoides decadactylus*), sea cats (*Pentanemus quinquequarum*), croakers
(*Pseudotolithus* spp.; *Argyrosomus* spp.), grunts (*Pomadasyd* spp.), jacks
(*Caranx* spp.; *Chloroscombrus* sp.; *Decapterus* spp.), sea catfishes (*Arius*
spp.).

In addition, he shall, within 15 days before the expiry of the licence,
notify the Ministry of Fisheries, via the Directorate for Industrial
Fisheries, of the landing date.

Bissau,

SHIPOWNER/REPRESENTATIVE

(Signature and stamp)

STATISTICS ON CATCH AND ACTIVITY

Month :

Year :

Name of vessel :	
Nationality (flag) :	

Engine rating :	
Gross registered tonnage :	

Fishing method :	
Port of landing :	

Date	Fishing zone		Number of hauls	Number of fishing hours	Species of fish							Total	
	Longitude	Latitude											
1/													
2/													
3/													
4/													
5/													
6/													
7/													
8/													
9/													
10/													
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FINANCIAL STATEMENT

Date:

1. BUDGET HEADING: 420
2. TITLE: New EEC-Guinea-Bissau financial Protocol
3. LEGAL BASIS: EEC-Guinea-Bissau Agreement on fishing off the coast of Guinea-Bissau
4. AIMS: Protocol and Annex for two-year period:
 - financial compensation
 - financing of scientific programme
 - awards

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (1989)	FOLLOWING FINANCIAL YEAR (1990)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/ INTERVENTIONS)		ECU 5 965 000 (annual average)	ECU 5 965 000 (annual average)
- NATIONAL AUTHORITIES			
- OTHER			
5.1 REVENUE			
- EC OWN RESOURCES (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			

	1989	1990	
5.0.1 ESTIMATED EXPENDITURE	ECU 5 965 000	ECU 5 965 000	
5.1.1 ESTIMATED REVENUE	(annual average)	(annual average)	(annual average)

5.2 METHOD OF CALCULATION:

Financial compensation:	ECU 10 830 000
Scientific programme:	ECU 550 000
Awards:	ECU 550 000

Total cost ECU 11 930 000

Average annual cost ECU 5 965 000

- 6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES
- 6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES
- 6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY? NO
- 6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES

COMMENTS:

COMPETITIVENESS AND EMPLOYMENT IMPACT STATEMENT

The aim of this measure is to obtain fishing rights for Community fishermen. It will involve taking on certain obligations (e.g. the payment of licence fees), but these will be clearly outweighed by the benefit of increased employment which will result.

ISSN 0254-1475

COM(89) 601 final

DOCUMENTS

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Catalogue number : CB-CO-89-567-EN-C

ISBN 92-77-55455-X

Office for Official Publications of the European Communities
L-2985 Luxembourg